



MISSISSIPPI PURCHASING CERTIFICATION PROGRAM

Certified Mississippi Purchasing Agent (CMPA)

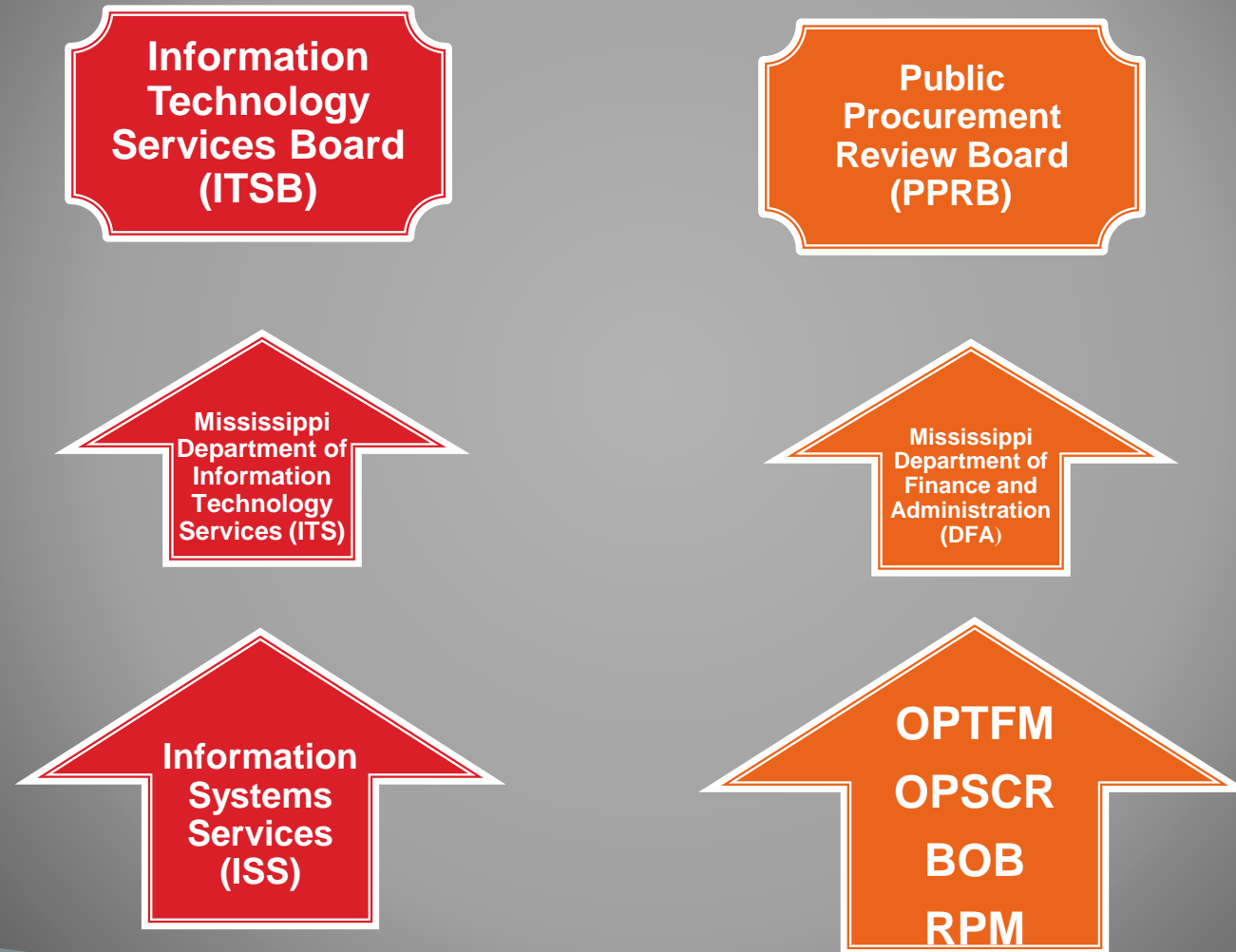
Introduction/General Information

- ▶ Agenda
- ▶ Housekeeping Reminders
 - Keep cameras on
 - Cell Phones
 - Food and Beverages
 - Lunch and Breaks
- ▶ Test
- ▶ Be Engaged!!

ICE BREAKER!!!

- ▶ Name
- ▶ Agency
- ▶ Years in Procurement
- ▶ Procurement Duties

Mississippi Procurement Organization



Office of Purchasing, Travel and Fleet Management (OPTFM)

- ▶ OPTFM has most direct involvement with the daily purchasing activities of State Agencies (commodities non-IT)
- ▶ Staff of 16
- ▶ Main purpose: to promote economy and efficiency in procurement functions for governmental entities within the State
- ▶ Provide a consistent, efficient, and cost effective fleet management program for all vehicles owned by the State

Major Roles

- ▶ Establish and administer commodity State Contracts
- ▶ Monitor agency compliance
- ▶ Oversee disposals/trade-ins
- ▶ State's Card Programs (Pcard, Travel, EEF)
- ▶ Manage Certification Program
- ▶ Responsible for keeping Procurement Manual up to date with any new laws or regulations

Purchasing Notes aka P-Notes

- ▶ Monthly newsletter sent out by OPTFM
- ▶ Highlights state contracts, travel, p-card, surplus property, and fleet, any changes in regulations or laws
- ▶ Great way to stay updated on what is changing in public procurement
- ▶ To be added to the p-notes list, send your email address to purchasingandtravel@dfa.ms.gov and request to be added

PROFESSIONAL PURCHASING ORGANIZATIONS

- ▶ Mississippi Association of Governmental Purchasing/Property Agents (MAGPPA)
- ▶ NIGP: The Institute for Public Procurement
- ▶ National Association of State Procurement Officials (NASPO)



State Agency

“Agency” means any state board, commission, committee, council, university, department or unit thereof created by the Constitution or statutes if such board, commission, committee, council, university, department, unit or the head thereof is authorized to appoint subordinate staff by the Constitution or statute, except a legislative or judicial board, commission, committee, council, department or unit thereof; except a charter school authorized by the Mississippi Charter School Authorizer Board; and except the Mississippi State Port Authority. An academic medical center or health sciences school as defined in Section 37-115-50 is not an “agency” for those purchases of commodities as defined in this section that are used for clinical purposes and (i) intended for use in the diagnosis of disease or other conditions or in the cure, mitigation, treatment or prevention of disease, and (ii) medical devices, biological, drugs and radiation emitting devices as defined by the United States Food and Drug Administration.

CMPA Statute

- ▶ Per Section 31-7-9, OPTFM was charged with developing the State's first training and certification program for purchasing professionals
- ▶ Its goal is to certify all State Agency Purchasing Officials while providing them with the necessary tools to perform their job in an ethical, efficient, and effective manner

Purchasing Agent/Official

- ▶ Any person authorized to enter into and administer contracts and make written determinations with respect thereto. The term also includes an authorized representative acting within the limits of authority. If a person has the authority to issue purchase orders, issue invitations to bid, requests for proposals, receive and accept bids, negotiate contract clauses, etc., they should be considered a purchasing agent for the purposes of this policy
 - If an employee has the authority to issue purchase orders, issue invitations for bids, receive and accept bids, negotiate contract clauses, etc., they should be considered a purchasing agent for the purpose of being counted in those required to complete the CMPA program as well as those that may need National certification to be considered a Certified Purchasing Office

Purpose of Procurement Manual

- ▶ Sets forth all laws and regulations, and any pertinent information resulting from Title 31, Chapter 7
- ▶ Applies to commodities, equipment and construction projects either bought, leased, or rented with any funds, regardless of source, by those agencies which are under the purview of DFA
- ▶ Thorough representation of procedures relative to purchasing by all state entities
- ▶ Source of information for vendors on proper procedures that must be followed in doing business with the State

Chapters in the Manual

- ▶ Chapter 1: General Provisions
- ▶ Chapter 2: Procurement Organization
- ▶ Chapter 3: Source Selection and Contract Formation
- ▶ Chapter 4: Specifications
- ▶ Chapter 5: Modifications and Terminations of Contracts for Commodities
- ▶ Chapter 6: Legal and Contractual Remedies
- ▶ Chapter 7: Intergovernmental Relations
- ▶ Chapter 8: Disposal of Personal Property
- ▶ Chapter 9: Ethics in Public Contracting
- ▶ Chapter 10: Special Procedures

PUBLIC PURCHASING OVERVIEW

Let's Paint the Picture



What's the Difference?

- Purchasing - buying, renting, leasing or otherwise acquiring.
- Procurement - buying, purchasing, renting, leasing, or otherwise acquiring any commodities, equipment, services, or construction. It also includes all functions that pertain to the obtaining of any commodities, equipment, services, or construction, including description of requirements, selection and solicitation of sources, preparation and award of contract and all phases of contract administration.

Purchasing

Procurement

Values & Guiding Principles of Public Procurement

- ▶ **Accountability**
- ▶ **Ethics**
- ▶ **Impartiality**
- ▶ **Professionalism**
- ▶ **Service**
- ▶ **Transparency**

Commodity

- ▶ Goods, merchandise, furniture, equipment, automotive equipment of every kind, and other personal property purchased by the agencies of the state and governing authorities, but not commodities purchased for resale or raw materials converted into products for resale

Equipment

- ▶ "Equipment" shall be construed to include: automobiles, trucks, tractors, office appliances and all other equipment of every kind and description

Furniture

- ▶ Desks, chairs, tables, seats, filing cabinets, bookcases and all other items of a similar nature as well as dormitory furniture, appliances, carpets and all other items of personal property generally referred to as home, office or school furniture

Review Questions



IT'S THE LAW

- ▶ Mississippi Purchasing Laws
- ▶ Legal and Contractual Issues



Unit Objectives

- ▶ Identify the most common laws from the Mississippi Code of 1972 Annotated pertaining to purchasing
- ▶ Explain the applicability of each section of law
- ▶ Discuss protests and actions required by agencies
- ▶ Understand suspensions and debarment
- ▶ Legal and Contractual Remedies

Primary Laws Governing Purchasing

- ▶ MS Code section 31-7-1
 - Defines common terms used in purchasing
- ▶ MS Code section 31-7-3
 - Grants administrative authority to DFA
- ▶ MS Code section 31-7-5
 - Directs DFA to establish rules and regulations governing its operations, establishes OPTFM
- ▶ MS Code section 31-7-7
 - Prescribes duties for the Office of General Services (DFA)
- ▶ MS Code section 31-7-9
 - Grants authority to OPTFM to develop purchasing regulations for agencies and governing authorities

Primary Laws Governing Purchasing

- ▶ MS Code section 31-7-10
 - Lease purchase program for state agency equipment; participation by local governments; Master Lease-Purchase Program Fund
- ▶ MS Code section 31-7-11
 - Directs agencies to report purchasing practices to DFA, authorizes DFA to supervise purchasing practices of agencies
- ▶ MS Code section 31-7-12
 - Establishes the terms for use of state contracts
- ▶ MS Code section 31-7-13
 - Establishes bid requirements and exceptions for agencies and governing authorities
- ▶ MS Code section 31-7-15
 - Preferences for awarding contracts for commodities to MS suppliers; procurement of products made from recovered materials

Primary Laws Governing Purchasing

- ▶ MS Code section 31-7-38
 - Establishments of Group Purchasing Agreements for public hospitals and regional health centers
- ▶ MS Code section 31-7-55
 - Penalties
- ▶ MS Code section 31-7-57
 - Individual liability for unlawful expenditures; disposition of recovered funds

Primary Laws Governing Purchasing

- ▶ MS Code section 31-7-303
 - Time for filing requisition for payment of invoice; time for mailing
- ▶ MS Code section 31-7-305
 - Recordkeeping and notice requirements; time for mailing check in payment of invoice
- ▶ MS Code sections 31-7-401 thru 31-7-423
 - Standards and procedures for the issuance of Requests for Proposals
- ▶ MS Code section 27-104-7
 - PPRB statute; establishes purview over commodities, services, construction, leasing

Protests

- ▶ Who has the Right to Protest?
- ▶ How does the Vendor file a protest?
- ▶ Stay of Procurement
- ▶ Who has the Authority to Resolve Protests?
- ▶ What should the Agency do once a decision is made?
- ▶ Vendors can Appeal to PPRB

Remember this is the OPTFM Procurement Manual process. Processes governing protests under the purview of PPRB and ITS are contained within their regulations.

Key Terms

- ▶ **Interested Party** - an actual or prospective bidder, offeror, or contractor that may be aggrieved by the solicitation or award of a contract, or by the protest
- ▶ **Protestor** - any actual or prospective bidder, offeror, or contractor who is aggrieved in connection with the solicitation or the award of a contract and who files a protest
- ▶ **Attorney General** - the individual assigned by the Attorney General to provide legal assistance to the Department of Finance and Administration
- ▶ **Chief Procurement Officer** – person holding the position as the Director of OPTFM

Sample Protests

- ▶ Agency procured publication of state reference materials. After bids were received, Agency requested samples. Agency awarded to high bidder whose samples they preferred. Low bidder protested, stating that IFB did not indicate award would be based in part on samples. Who won?
- ▶ Agency procured construction (fill dirt), using unit prices. Agency awarded to apparent low total bid, but an extension calculation error was discovered. Agency corrected unit prices to match total entered by bidder. Second low protested, claiming Agency impermissibly allowed changing of bid after opening. Who won?
- ▶ Agency procured deployment of oyster cultch. LA contractor bid and did not include the LA preference law. Agency rejected the bid. At protest hearing, contractor argued the law was in its bid submission and that Agency removed it to conspire against LA contractor and award to a MS company. Who won?

Tips on Preventing Protests

- ▶ Follow your own rules (consult applicable manuals before conducting procurements)
- ▶ Treat all vendors equally
- ▶ Conduct pre-bid meetings with vendors, get feedback on your bid packet and specifications
- ▶ Hold vendor debriefings
- ▶ Document, document, document

Contractor Suspension and Debarment

▶ Suspension

- DFA or the Agency Head, after consultation with the AG, may suspend a contractor pending the outcome of an investigation regarding grounds for debarment
- Contractor will not be awarded any contracts during the suspension nor will any bids or proposals be accepted from the contractor
- Suspension remains in effect until ended by the officer who issued the suspension or after three (3) months

▶ Debarment

- DFA or the Agency Head, after consultation with the using agency and the Attorney General, shall have authority to debar a person for cause from consideration for award of contracts.

Causes for Contractor Debarment

▶ Debarment

◦ Causes for debarment

- Conviction of a crime in obtaining/attempting to obtain public contracts
- Conviction for an offense indicating a lack of business integrity or honesty
- Conviction for antitrust violations
- Contract violations deemed worthy of debarment
- Any other cause deemed worthy of debarment by DFA or the Agency Head
- Ethical violations

Debarment Hearings and Notification

▶ Debarment

- Contractor may request a hearing after notification of debarment
- Hearing must be requested in writing within seven (7) days of the debarment notification
- Debarment should last for a period of two (2) years
- DFA will maintain a list of all debarred contractors

Contractual Remedies

- ▶ The Mississippi Procurement Code establishes procedures and remedies to resolve contract and breach of contract controversies between the State and a contractor
- ▶ It is the State's policy, consistent with the Code, to try to resolve all controversies by mutual agreement
- ▶ Disputes Clause should be included in all Mississippi Contracts (6.103.07 of Procurement Manual)

Debriefings

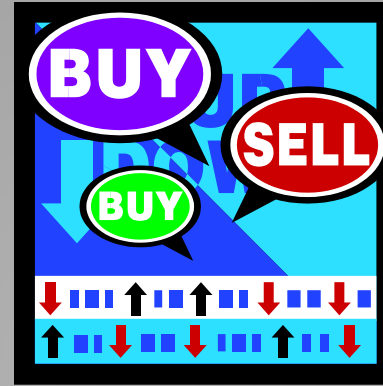
- ▶ The Agency Procurement Officer is authorized to provide debriefings that furnish the basis of the source selection decision and contract award
 - Debriefings may only be conducted when utilizing the competitive sealed proposal process as authorized
 - A post-award debriefing may include:
 - (a) The agency's evaluation of significant weaknesses or deficiencies in the proposal, if applicable;
 - (b) The overall evaluated cost or price (including unit prices) and technical rating, if applicable, of the successful offer or and the debriefed offer or;
 - (c) The overall ranking of all proposals, when any such ranking was developed during the source selection;
 - (d) A summary of the rationale for award;
 - (e) Reasonable responses to relevant questions about whether source selection procedures contained in the Request for Proposals and applicable law were followed.

Review Questions

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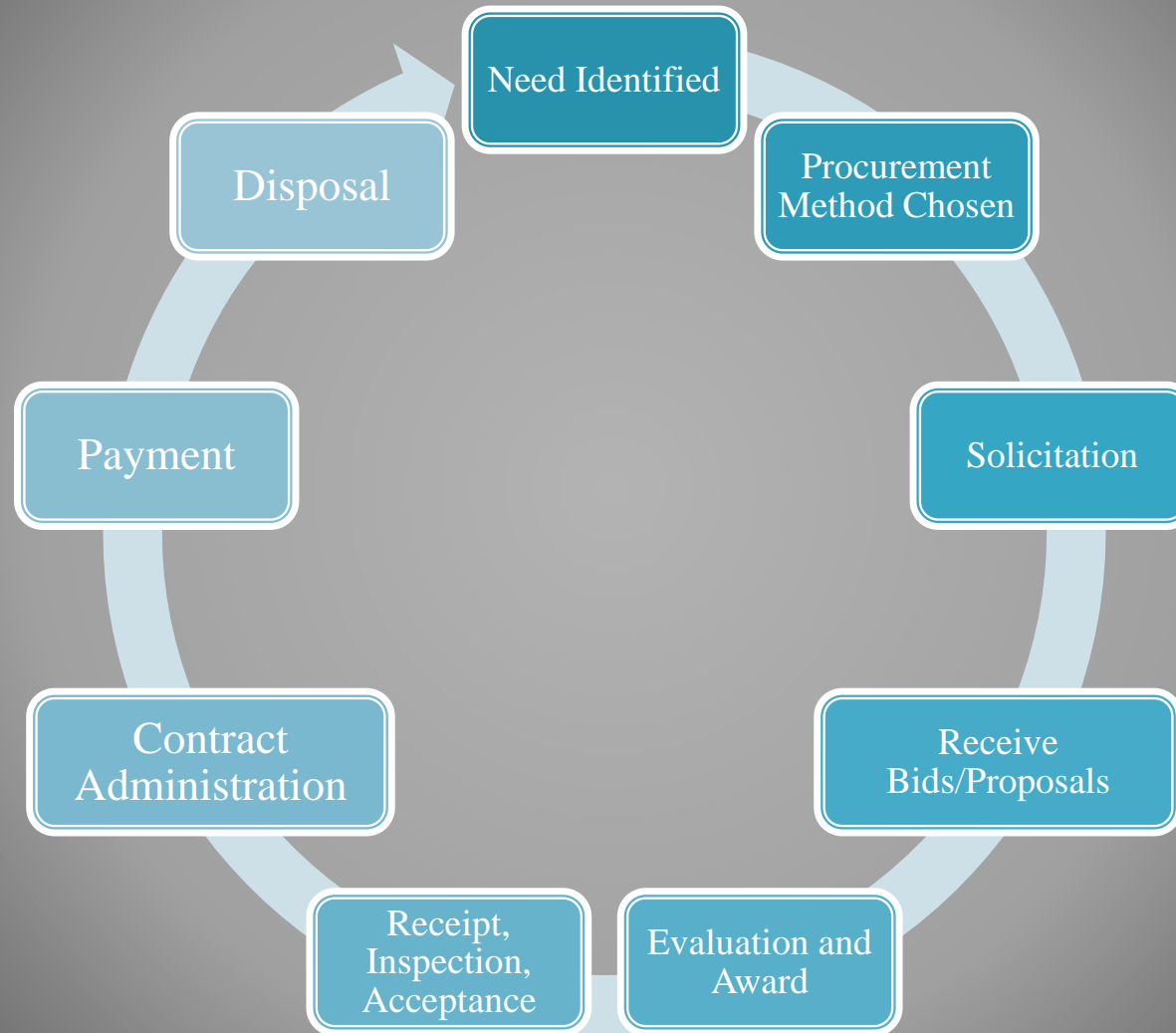
STEPS IN THE PROCUREMENT CYCLE



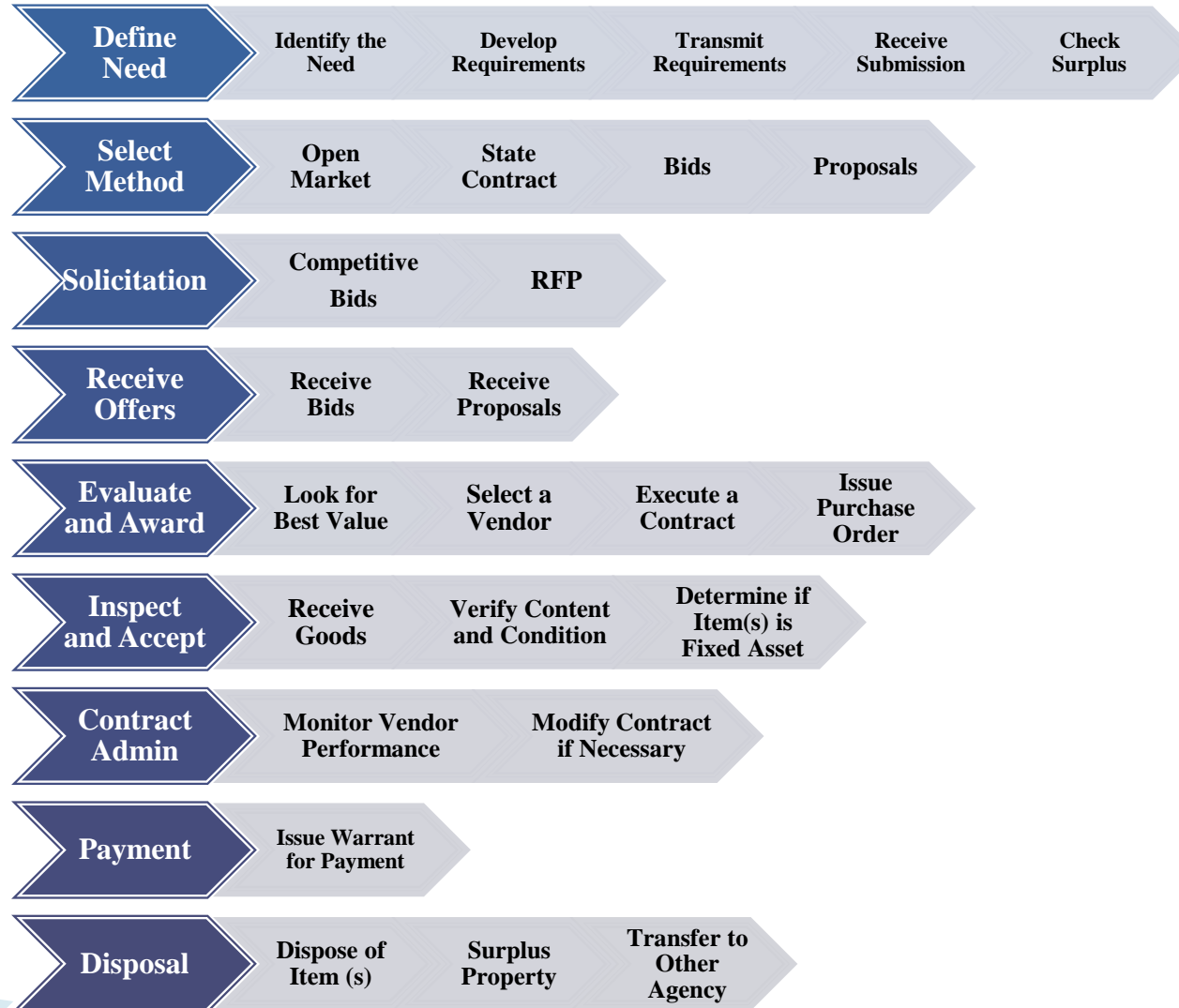
UNIT OBJECTIVES

- ▶ Identify steps in Procurement Cycle
- ▶ Properly assess types of purchases and the appropriate method of purchase
- ▶ Properly determine P-1 usage
- ▶ Discuss PPRB approval process
- ▶ Identify approved purchasing methods and their characteristics
- ▶ Review OPTFM contracts

The Mississippi Procurement Cycle



Mississippi Purchasing Process



Method of Source Selection

- ▶ Authority to Make Small Purchases
- ▶ Sole-Source Procurements
- ▶ Emergency Procurements
- ▶ Competitive Sealed Bids
 - Reverse Auctions
 - Traditional sealed bids
- ▶ Competitive Sealed Proposals

State Contract Purchases

- ▶ **First method of source selection should always be State Contracts:**
 - Competitive
 - Negotiated
 - Cooperative
 - Statewide Agency

EXEMPTIONS FROM BID REQUIREMENTS

- ▶ Transactions from 31-7-13 (m)
 - Refer to **pg. 83 of CMPA manual**
- ▶ OPTFM approved exemptions

EXEMPTIONS

Purchases less than \$5,000.01

- ▶ Check competitive state contract for item
- ▶ Purchases may be made on open market. Purchasing agent will obtain pricing from multiple sources to ensure competition, written bids not required
- ▶ Purchase requisitions and purchase orders must be prepared and approved prior to making the purchase
- ▶ Total cost must be used, items cannot be split up to avoid obtaining written bids

Competitive Written Bid Between \$5,000 and \$50,000.01

- ▶ Small purchases costing more than \$5,000 but not more than \$50,000 require written bids from two or more businesses.
 - Written Bid
 - A bid submitted on a bid form or a bid submitted on a vendor's letterhead or identifiable bid form and signed by authorized personnel representing the vendor.
 - Bids submitted electronically shall not require the signature of the vendor's representative unless required by agencies or governing authorities.

Awarding Competitive Written Bid/Quote Between \$5,000 and \$50,000.01

- ▶ Award shall be made to the lowest responsive bid/quote provided at least two competitive written bids/quotes have been obtained.
- ▶ Total cost must be used, items cannot be split up to avoid advertising for formal bids.
- ▶ Purchase requisitions and purchase orders must be prepared and approved prior to making the purchase.

Competitive Bids over \$50,000

- ▶ Approval prior to award must be submitted to OPTFM on electronic P-1
- ▶ All procurement manual rules and regulations must be followed
- ▶ Reverse Auctions are the primary method
 - State agencies utilize MAGIC to perform auctions
- ▶ Electronic bidding must be provided
 - “secure electronic interactive system” – MAGIC
 - Cannot require vendors to submit electronically
- ▶ Awards should only be made as described in specifications
- ▶ Advertisement must be done correctly
- ▶ MPTAP must be notified

COMMODITY ADVERTISING REQUIREMENTS

- ▶ Period of time between date of publication of the ad and the time and date set for receipt of bids
- ▶ Published once each week for two consecutive weeks with the second notice being published on or after the 7th calendar date after the first notice was published
- ▶ Opening date must not be less than seven (7) **working days** after the last notice in the newspaper (must not be sooner than the 8th day)
- ▶ MPTAP must receive notice same day or prior to first publication in the paper
- ▶ If utilizing Reverse Auction, bids are used to qualify responsive bidders to invite to the auction and establish start price

Commodity Threshold Requirements

	Open Market Purchase	2 Quotes from Vendor	State Contract	Competitive Bid (Reverse Auction)	PPRB
\$0.00 - \$5,000	X		X		
\$5,000.01 - \$50,000		X	X		
\$50,000.01 - Over			X	X	
\$500,000.01 - Over			X	X	X

Procurement Cycle Activity



Overview of Request for Authority to Purchase (P-1)

- ▶ P-1 Training Tool Document
- ▶ Different types of P-1's
- ▶ Documentation needed for P-1 approval

Different types of P-1's

- ▶ Agency Contract Bids
- ▶ Agency Contract Sole Source
- ▶ Competitive Bids When Not Selecting Low Bidder
- ▶ Competitive Bids When Selecting Low Bidder
- ▶ Emergency Purchases
- ▶ Exemption from State Contract
- ▶ Master Lease
- ▶ Open Purchase Order
- ▶ Sole Source / Research
- ▶ Trade-In of Equipment with Purchase

EXEMPTIONS FROM BID REQUIREMENTS REQUIRING PRIOR P-1 APPROVAL

- ▶ Non-competitive items that are available from only one source
- ▶ Items purchased for research that are available from only one source
- ▶ Emergency purchase not threatening life or property

Emergency Definition

- ▶ “Emergency” - any circumstances caused by fire, flood, explosion, storm, earthquake, epidemic, riot, insurrection, or caused by any inherent defect due to defective construction, or when the immediate preservation of order or public health is necessary by reason of unforeseen emergency, or when the restoration of a condition of usefulness of any public building, equipment, road or bridge appears advisable, or in the case of a public utility when there is a failure of any machine or other thing used and useful in the generation, production or distribution of electricity, water or natural gas or in the transportation or treatment of sewage; or when the delay incident to obtaining competitive bids could cause adverse impact upon the governing authorities or agency, its employees or its citizens.
- ▶ **Emergency procurement shall be limited in scope to those supplies, services, or construction items necessary to meet the emergency and limited in term to the time necessary to meet the emergency; however in no event shall any emergency contract exceed a term of one (1) year.**

Emergency NOT Requiring Prior Approval

- ▶ If such emergency threatens the health or safety of any person, or the preservation or protection of property, then the provisions of competitive bidding shall not apply and any officer or agent of the agency having general or specific authority for making the purchase or repair contract shall approve the bill presented for payment and provide justification and certification in writing detailing from whom the purchase was made or with whom the repair contract was made to the Office of Purchasing, Travel and Fleet Management using the electronic P-1 process and guidelines listed on OPTFM's website

Emergencies Requiring Approval Prior to Purchase

- ▶ If the governing board or the executive head, or his designees, of any agency of the state shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interests of the state, then the head of such agency, or his designees, shall seek approval of the Office of Purchasing, Travel and Fleet Management using the electronic P-1 process

Master Lease

- ▶ Prior approval is required by PPRB to use Master Lease funds
- ▶ A proposed schedule of acquisitions is presented for Board approval
- ▶ Master Lease Purchase Program is just the method of financing
- ▶ Competitive procurement is **STILL** mandatory

Open Purchase Order Over \$5,000

- ▶ A brief justification on agency letterhead of the need for an open purchase order in lieu of normal P.O. procedures
- ▶ A general description of the commodities and maximum amount per invoice
- ▶ The following certification should be included with the justification: *"This is to certify that only the commodities shown will be purchased and that no items currently covered by any state contract will be purchased under the terms of this purchase order without proper approval from the Office of Purchasing and Travel. This procedure will not be used to separate purchases so as to circumvent any laws, regulations, or policies of the State of Mississippi."*
- ▶ This should be signed by the Procurement Director or his/her designee

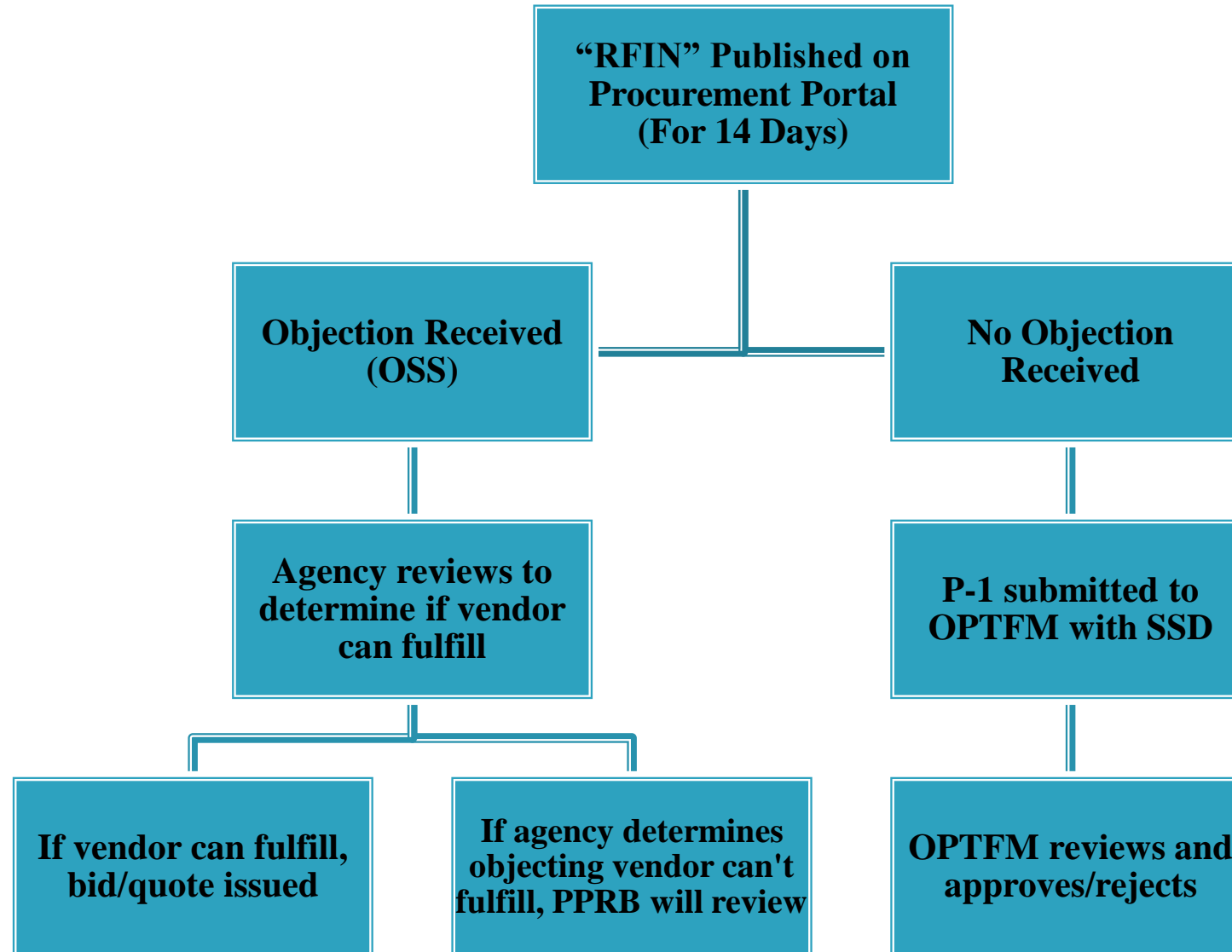
Sole Source or Research

- ▶ Sole-source procurement is not permissible unless a requirement is available from only a single supplier. A requirement for a particular proprietary item does not justify sole-source procurement if there is more than one potential bidder or offeror for that item. The following are examples of circumstances which could necessitate sole-source procurement:
 - Where the compatibility of equipment, accessories, or replacement parts is the paramount consideration (and manufacturer is sole supplier)
 - Where a sole supplier's item is needed for trial use or testing
 - Where a sole supplier's item is to be required when no other item will serve the need of the user entity

Sole Source Process

- ▶ Established after SB 2400
- ▶ Effective July 1, 2015
- ▶ Agencies must enter/publish their Sole Source contract notices to the State of MS Procurement Portal
- ▶ Must be advertised for at least fourteen (14) days
- ▶ The Sole Source Determination (SSD) and Objection to Sole Source (OSS) forms must be attached to the notice

Sole Source Process



Trade-in of Equipment with Purchase

- ▶ A trade-in of equipment is allowed (exception: vehicles on state contract)
- ▶ If the competitive sealed bid process is used, specifications must be written to include the trade-in
- ▶ When submitting an electronic P-1, an inventory deletion form must be attached

PPRB Required Approvals

- ▶ Types of purchases requiring approval
 - Exemptions from Reverse Auction
 - Purchases made as the result of alternative process after exemption is granted
 - Purchases greater than \$500,000
 - Construction contracts greater than \$5,000,000
 - Master Lease Purchase schedules
 - Cancellation of MDOC contracts on minutes
 - Changes to normal purchasing policies and procedures
 - Changes to rules and regulations regarding sale or disposal of property


PPRB Agenda Item Deadline

- ▶ P-1 requests must be submitted to OPTFM by the published deadline. Check the PPRB website.


<u>PPRB Meeting Date</u>	<u>Submission Deadlines</u>
January 3, 2018 9:00 a.m.	December 6, 2017
February 7, 2018 9:00 a.m.	January 10, 2018
March 7, 2018 9:00 a.m.	February 7, 2018
April 4, 2018 9:00 a.m.	March 7, 2018
May 2, 2018 9:00 a.m.	April 4, 2018
June 6, 2018 9:00 a.m.	May 9, 2018
July 11, 2018 9:00 a.m.	June 6, 2018
August 1, 2018 9:00 a.m.	July 5, 2018
September 5, 2018 9:00 a.m.	August 8, 2018
October 3, 2018 9:00 a.m.	September 5, 2018
November 7, 2018 9:00 a.m.	October 10, 2018
December 5, 2018 9:00 a.m.	November 7, 2018

Utilizing State Contracts

Types of Contracts


- ▶ Competitive Contracts
 - ▶ Negotiated Contracts (Convenience)
 - ▶ State Agency Contracts
 - ▶ Cooperative Contracts
- 

Competitive Bid Contracts


- ▶ **What items are they used for?** Examples – office supplies, auto batteries, toner cartridges, office papers
 - ▶ **How are they Developed?** Competitive sealed bids
 - ▶ **Who can use them?** Governing authorities and state agencies
 - ▶ **Who must use them?** State agencies
- 

Negotiated Contracts


(Convenience/Multiple Award Contracts)

- ▶ **What items are they used for?** Examples – automotive parts, copiers, furniture, janitorial products
 - ▶ **How are they Developed?** Proposals from many vendors
 - ▶ **Who can use them?** Agencies and governing authorities
 - ▶ These are convenience contracts that are there for the buyers to utilize and users should negotiate the best possible price
- 

Statewide Agency Contracts

- ▶ **What items are they used for?** Asphalt, buses, motor graders, paint striping machine
 - ▶ **How are they developed?** Competitive bids by a specific agency
 - ▶ **Who can use them?** Agencies and governing authorities if permitted in the original bid.
- 

Cooperative Contracts

- ▶ **What items are they used for?** Floor covering, medical supplies, building supplies, pharmaceuticals
 - ▶ **How are they developed?** Cooperative contracts are procurements conducted by, or on behalf of, more than one public procurement unit, or by a public procurement unit with an external procurement activity
 - ▶ **Who can use them?** Agencies and governing authorities only when adopted by OPTFM
- 

Locating State Contract Items



[Home](#) > [DFA Offices](#) > [Purchasing, Travel and Fleet Management](#) > [Bureau of Purchasing and Contracting](#) > **Contracts**

Ross Campbell, Director

501 North West Street, Jackson, MS 39201

Competitive contracts are established on the basis of written specifications and sealed competitive bids with a contract being awarded to the vendor that has submitted the lowest bid that meets the specifications.

Negotiated contracts are entered into when a commodity is used by multiple state agencies and a standard specification fails to meet the needs of a majority of the state agencies.

The Statewide Agency Contracts are established on the basis of competitive bids or negotiation by a specific agency. These agency contracts are approved by the Office of Purchasing and Travel for use by all state agencies and governing authorities to purchase specific products from the vendor.

Cooperative Contracts are procurement conducted by, or on behalf of, more than one Public Procurement Unit, or by a Public Procurement Unit with an External Procurement Activity.

The Mississippi Industries for the Blind is a state agency and body politic and corporate. Miss. Code Ann. Section 43-3-101. It was created to establish industries, businesses and shops for the employment of the blind and other persons, to employ blind persons whose training is not otherwise provided for and to market their products, and to furnish materials, tools and books for use in rehabilitating blind persons for employment, and to do any and all other things for blind persons as it deems advisable. Sections 43-3-107. Miss. Code Ann.

Miss. Code Ann. Section 31-7-13 (m) (xxiv) exempts from advertising and bidding requirements set forth in the statute, purchases made by state agencies or governing authorities involving any item that is manufactured, processed, or produced by the Mississippi Industries for the Blind. <http://shop.msblind.org>

The Personal Service Contract Review Board Service Contracts are provided to assist in the procurement process for use by state agencies and entities under the purview of the Mississippi State Personnel Board. Use of the preapproved lists is strictly optional and is not intended to replace agencies' currently active contracts.

Minority Participation Contracts are approved minority vendor contracts. These negotiated contracts are entered into when a commodity is used by multiple state agencies and a standard specification fails to meet the needs of a majority of the state agencies.

[Competitive Contracts](#)

[Negotiated Contracts](#)

[Statewide Agency Contracts](#)

[Cooperative Contracts](#)

[Make Mine Mississippi Program](#)

Contract Category List

[Home](#) > [DFA Offices](#) > [Purchasing, Travel and Fleet Management](#) > [Bureau of Purchasing and Contracting](#) > **Negotiated Contracts**

Ross Campbell, Director
501 North West Street, Jackson, MS 39201

Negotiated contracts are entered into when a commodity is used by multiple state agencies and a standard specification fails to meet the needs of a majority of the state agencies. Negotiated contracts allow the using departments to determine individual needs and to procure the most appropriate items at reasonable costs. These contracts give the agencies a good price and offer the benefit of multiple options to best meet agency needs.

The negotiated contracts are established on the basis of proposals from many vendors. These proposals are evaluated with contracts being awarded to all vendors whose prices are "comparable." These contracts may be used by any agency. Negotiated contracts are "convenience" contracts and serve to establish a maximum price that can be paid for any item covered by the contract. Agencies may purchase items covered by a negotiated contract from other than the contract vendor provided they follow the applicable procedures set forth in Section 31-7-13 of the Mississippi Code, 1972 Annotated.

[Back to Contracts](#)

Negotiated Contracts

[ABC](#) | [DEF](#) | [GHI](#) | [JKL](#) | [MNO](#) | [PQR](#) | [STU](#) | [VWXYZ](#)

A	B	C
<ul style="list-style-type: none">Alternative Fuel Conversion KitsAmmunitionAutomotive Parts and Equipment	<ul style="list-style-type: none">Body Armor, Riot Shield and Supplies	<ul style="list-style-type: none">Copiers - Purchase and Rental

Category Selection

[Home](#) > [DFA Offices](#) > [Purchasing, Travel and Fleet Management](#) > [Bureau of Purchasing and Contracting](#) > [Negotiated Contracts](#) > [A - B - C](#) > **Automotive Parts and Equipment**

Ross Campbell, Director
501 North West Street, Jackson, MS 39201

Automotive Parts and Equipment - Effective Dates: 11/01/17 - 10/31/18

GO TO THE FOLLOWING LINK TO VIEW THE CONTRACTS FOR AUTOMOTIVE PARTS AND EQUIPMENT:

[Contract Bid Search](#)


Click Search Contracts, Click Advanced Search Options, Enter in the box for Contract #, the Contract Number (Example: 8200034983).

Supplier Name	Supplier Number	Contract Number
AutoZone Mississippi, Inc.	3100033996	8200034983
Crow Burlingame Co., dba Bumper to Bumper Auto Parts	3100022594	8200036228
General Parts Distribution LLC (Carquest)	3102001893	8200034991
IEH Auto Parts LLC dba Auto Plus Auto Parts	3102030397	8200034992
NAPA Auto Parts Genuine Parts Co.	3100034012	8200034993
O'Reilly Auto Parts	3100009859	8200034995
ROK Brothers, Inc.	3100010747	8200034997
Union Auto Parts	3100017441	8200035007
Vehicle Maintenance Program	3100012045	8200036225

Contract Search



Buying and Selling
to Government in Mississippi



SELLING TO MISSISSIPPI

TRANSPARENCY MS

BUYING FOR MISSISSIPPI

Contract Search

Search for a Contract using Keywords or Advanced Search Options.

SEARCH

[ADVANCED SEARCH OPTIONS](#)

Smart Number	Contract Number	Vendor	Description	From Date	End Date	P-Card Enabled	
1130-18-C-SWCT-00067	8200034983	AUTOZONE	AutoZone Negotiated Statewide Contract for Automotive Parts & Equipment. Attachment - AutoZone automotive-parts-equipment-discount-spreadsheet Attachment - AutoZone Dealer List 2017 Attachment - AutoZone Proposal letter 2017 Attachment - AutoZone Signed Contract 2017	11/01/2017	10/31/2018	Yes	View Contact

Contract Details

Contract Details : # 1130-18-C-SWCT-00067 / 8200034983

[Back to Search Results](#)

Contract details

Print 

Smart Number	1130-18-C-SWCT-00067	Contract validity dates	11/01/2017 - 10/31/2018
Contract #	8200034983	Contract Status	Active
Contract Category	OPTFM-NEGC	Catalog URL	
P-Card Accepted	Yes	Discount Available	No
Contract Type	Statewide		
Manufactured in MS	No		
Payment Terms	Pay immediately due net		
Contract Description	AutoZone Negotiated Statewide Contract for Automotive Parts & Equipment.		

Green Attributes

Recycled Goods		Energy Efficiency	No
Green Tech/Products	No	Carbon Footprint	

Contact Information

Name	William Beard	Email	BILLY.BEARD@DFA.MS.GOV
Phone	6013595171	Fax	

Contract Notes and Attachments

Supplier Notes

Attachments

[AutoZone automotive-parts-equipment-discount-spreadsheet](#)

Attachments

[AutoZone Dealer List 2017](#)

Attachments

[AutoZone Proposal letter 2017](#)

Attachments

[AutoZone Signed Contract 2017](#)

Contract Advanced Search Options

Contract Search

Search for a Contract using Keywords or Advanced Search Options.

SEARCH

ADVANCED SEARCH OPTIONS

Contract Type

Contract #

Contract Category

Vendor #

Vendor Name

Contract From Date

Contract End Date

Product Category

Product Category Description

Material #

Item Description

CANCEL

CLEAR

SEARCH

Statewide Contract Item Catalog

Resources

[MS.GOV](#)

[MS DEPT of Information Technology Services \(ITS\)](#)

[Mississippi's Chosen Payment Network](#)

[Paymode](#)

[MS DFA: Bureau of Building](#)

[MS DFA: Office of Purchasing](#)

[MS DFA: Office of Personal Service Contract Review](#)


[Mississippi Management and Reporting System](#)

[Statewide Contract Item Catalog](#)

[MS.Gov Help Portal](#)

Statewide Contract Vendor Selection

Procurement Catalog

[Version Info](#)[Home](#) [Search Criteria](#) [Shopping Lists](#)Keyword: [Advanced Search](#)Supplier: Supplier Catalog Name: Long Description: Short Description: Manufacturer Part Number: Material ID: Contract ID:

Hierarchy

- [\[All\]](#)
- [\[None\] \(19\)](#)
- ▶ [ABRASIVES \(7\)](#)
- ▶ [ACOUSTICAL TILE, INSULATING MATERIALS, AND SUPPLIES \(3\)](#)
- ▶ [ADDRESSING, COPYING, MIMEOGRAPH, & SPIRIT DUPLICATING MACHINE SUPP](#)
- ▶ [AGRICULTURAL EQUIPMENT, IMPLEMENTS, & ACCESSORIES \(28\)](#)
- ▶ [AGRICULTURAL EQUIPMENT AND IMPLEMENT PARTS \(2\)](#)
- ▶ [AIR COMPRESSORS AND ACCESSORIES \(6\)](#)
- ▶ [AIR CONDITIONING, HEATING, & VENTILATING EQUIP, PARTS & ACC \(70\)](#)
- ▶ [AIRCRAFT AND AIRPORT EQUIPMENT, PARTS, AND SUPPLIES \(2\)](#)
- ▶ [AMUSEMENT, DECORATIONS, ENTERTAINMENT, GIFTS, TOYS, ETC. \(5\)](#)
- ▶ [APPLIANCES AND EQUIPMENT, HOUSEHOLD TYPE \(4\)](#)
- ▶ [ART EQUIPMENT AND SUPPLIES \(5\)](#)
- ▶ [ART OBJECTS \(2\)](#)
- ▶ [AUTOMOTIVE ACCESSORIES FOR AUTOMOBILES, BUSES, TRAILERS, TRUCKS, E](#)
- ▶ [AUTOMOTIVE AND TRAILER EQUIPMENT AND PARTS \(558\)](#)
- ▶ [AUTOMOTIVE AND TRAILER BODIES, BODY ACCESSORIES, AND PARTS \(1\)](#)
- ▶ [AUTOMOTIVE VEHICLES AND RELATED TRANSPORTATION EQUIPMENT \(384\)](#)
- ▶ [AUTOMOBILES, SCHOOL BUSES, SUVS, & VANS \(INC DIESEL, GASOLINE, ELECTR](#)
- ▶ [TRUCKS \(INC, DIESEL, GASOLINE, ELECTRIC, HYBRID, & ALTERNATIVE FUEL UN](#)
- ▶ [AUTOMOTIVE SHOP AND RELATED EQUIPMENT AND SUPPLIES \(5\)](#)
- ▶ [BADGES, AWARDS, EMBLEMS, NAME TAGS AND PLATES, JEWELRY, ETC. \(27\)](#)

Supplier

- | | |
|--|---|
| <input checked="" type="checkbox"/> [All] | <input type="checkbox"/> KNOLL INC. (1) |
| <input type="checkbox"/> [None] (15469) | <input type="checkbox"/> KNU LLC (1) |
| <input type="checkbox"/> A-1 FIRE EQUIPMENT INC (37) | <input type="checkbox"/> KRUEGER INTERNATIONAL, IN |
| <input type="checkbox"/> ACADEMIA FURNITURE INDUSTRIES (1) | <input type="checkbox"/> KRUG INC. (1) |
| <input type="checkbox"/> AGATI, INC. (1) | <input type="checkbox"/> LANDERS DODGE (24) |
| <input type="checkbox"/> AKRON BRASS COMPANY (8809) | <input type="checkbox"/> LEEDER FURNITURE LLC (1) |
| <input type="checkbox"/> ALLSTEEL, INC. (2) | <input type="checkbox"/> LELAND M. THOMPSON, INC. (1) |
| <input type="checkbox"/> AMCASE INC. (1) | <input type="checkbox"/> LES INDUSTRIES ROUILLARD, |
| <input type="checkbox"/> AMTAB MANUFACTURING CORPORATION (1) | <input type="checkbox"/> LIAT, LLC (1) |
| <input type="checkbox"/> ARCADIA CHAIR COMPANY (1) | <input type="checkbox"/> LION (115) |
| <input type="checkbox"/> ARTCO-BELL CORPORATION (1) | <input type="checkbox"/> LIQUID SOLUTIONS LLC (65) |
| <input type="checkbox"/> ARTOPEX INC. (1) | <input type="checkbox"/> Lawson Products, Inc (27) |
| <input type="checkbox"/> AUTOZONE (1) | <input type="checkbox"/> Loftwall Inc (1) |
| <input type="checkbox"/> AVON PROTECTION SYSTEMS (143) | <input type="checkbox"/> MAXON FURNITURE, INC. (2) |
| <input type="checkbox"/> Appenx, Inc. (1) | <input type="checkbox"/> MEDLINE INDUSTRIES INC-DA |
| <input type="checkbox"/> BAREFIELD WORKPLACE SOLUTIONS (326) | <input type="checkbox"/> MERCURY MARINE-DIV OF BR |
| <input type="checkbox"/> BARNEYS INC. (1) | <input type="checkbox"/> MICHELIN NORTH AMERICA (5 |
| <input type="checkbox"/> BATTERY SALES & SERVICE (33) | <input type="checkbox"/> MICHIGAN TUBE SWAGERS AI |

Statewide Contract Item Selection

Procurement Catalog

[Home](#) [Search Criteria](#) [Shopping Lists](#)

Keyword:: [Advanced Search](#) Browse By: [Hierarchy](#) [Supplier](#)

Supplier: Supplier Catalog Name:
Long Description: Short Description:
Manufacturer Part Number: Material ID:
Contract ID:

Found 27 item(s) of 37967 and showing 1 to 10

Refine Search

Search

[Reset Filter](#)

Keyword:

Hierarchy

- [All] ✓
- ▶ [ABRASIVES \(1\)](#)
- ▶ [CONCRETE & METAL PRODUCTS, CULT](#)
- ▶ [ELECTRICAL CABLES AND WIRES \(NOT](#)
- ▶ [ELECTRICAL EQUIPMENT AND SUPPLI](#)
- ▶ [ELECTRONIC EQUIP. COMPONENTS, P](#)
- ▶ [FASTENERS: BOLTS, NUTS, PINS, RIVE](#)
- ▶ [FIRST AID AND SAFETY EQUIPMENT A](#)
- ▶ [HAND TOOLS \(POWERED AND NON-PO](#)
- ▶ [HARDWARE AND RELATED ITEMS \(2\)](#)
- ▶ [HOSE, ACCESSORIES, AND SUPPLIES:](#)
- ▶ [MATERIAL HANDLING, CONVEYORS, S](#)
- ▶ [PIPE, TUBING, AND ACCESSORIES \(NO](#)
- ▶ [PIPE AND TUBING FITTINGS \(1\)](#)

Supplier

☒ [All]

<input type="button" value="Compare"/> Results View: <input type="text" value="List"/> Results Per Page: <input type="text" value="10"/> <input type="button" value="Image Off"/>									
Select	Supplier	Supplier Part Number	Short Description	Long Description	Manufacturers	Manufacturer Part Number	Material ID	Category	Price Information
<input type="checkbox"/>	Lawson Products, Inc		Acoustical Tile, Insulating Materials, And Supplies	Acoustical Tile, Insulating Materials, And Supplies	Varies			MRO	0.00 USD
<input type="checkbox"/>	Lawson Products, Inc		Bits, Dies, Drivers, Reamers, Taps, etc. (For Hand Tools, Powered and Non-Powered)	Bits, Dies, Drivers, Reamers, Taps, etc. (For Hand Tools, Powered and Non-Powered)	Varies			MRO	0.00 USD
<input type="checkbox"/>	Lawson Products, Inc		Bits, Dies, Drivers, Reamers, Taps, etc. (For Hand Tools, Powered and Non-Powered)	Bits, Dies, Drivers, Reamers, Taps, etc. (For Hand Tools, Powered and Non-Powered)	Varies			MRO	0.00 USD
<input type="checkbox"/>	Lawson Products, Inc		Blades, Hand Saw (Non-Powered)	Blades, Hand Saw (Non-Powered)	Varies			MRO	0.00 USD
<input type="checkbox"/>	Lawson Products, Inc		Blades, Handsaw, (Powered) Circular, and Reciprocating (For Powered and Non-Powered Saws)	Blades: Handsaw, (Powered) Circular, and Reciprocating (For Powered and Non-Powered Saws)	Varies			MRO	0.00 USD

Statewide Contract Item Details

Procurement Catalog

[Home](#) [Search Criteria](#) [Shopping Lists](#)

Keyword:: [Search](#) [Advanced Search](#) Browse By: [Hierarchy](#) [Supplier](#)

Supplier: All Supplier Catalog Name: All

Long Description: Contains Short Description: Contains

Manufacturer Part Number: Contains Material ID: Contains

Contract ID:

Item View

[Back to Search](#) [Previous Item](#) [Next Item](#)

Item 1 of 171:

Supplier Part Number: 6116104

Supplier: ECOLAB INC.

Manufacturer Part Number: 6116104

Short Description: ADVACARE 120(ECO) 12GL

Price information : 230.09 USD:

Details

Long Description :: LIQUID LAUNDRY SANITIZER AND SOUR IN ONE

Hyperlink::

[Ecolab](#)

Manufacturers :: Ecolab Inc.

Category :: Laundry

Order Unit :: each

Contract :: 8200034193,

Price Information		
Reference	Price Information	Lower bound
8200034193/1	230.09 USD	

[Back to Search](#) [Previous Item](#) [Next Item](#)

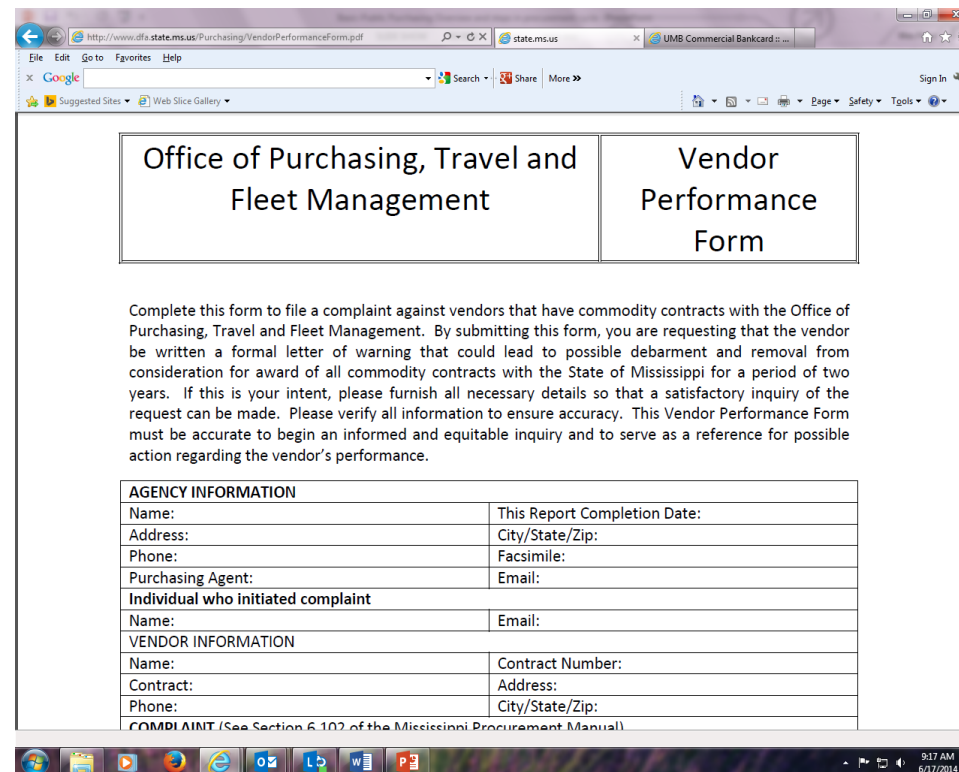
Vendor Registration

How can a vendor get registered to do business with the State of Mississippi:

- ▶ Direct vendor to OPTFM website, Bureau of Marketing, Travel and Card Programs
- ▶ Click on Vendor Information (middle of screen)
- ▶ Click on “vendor registration”

Vendor Performance Form

<http://www.dfa.ms.gov/media/1585/vendorperformanceform.pdf>



The screenshot shows a web browser window displaying the Vendor Performance Form. The browser's address bar shows the URL <http://www.dfa.ms.us/Purchasing/VendorPerformanceForm.pdf>. The page title is "Vendor Performance Form". The form is titled "Office of Purchasing, Travel and Fleet Management" and "Vendor Performance Form". Below the title, there is a paragraph explaining the purpose of the form: "Complete this form to file a complaint against vendors that have commodity contracts with the Office of Purchasing, Travel and Fleet Management. By submitting this form, you are requesting that the vendor be written a formal letter of warning that could lead to possible debarment and removal from consideration for award of all commodity contracts with the State of Mississippi for a period of two years. If this is your intent, please furnish all necessary details so that a satisfactory inquiry of the request can be made. Please verify all information to ensure accuracy. This Vendor Performance Form must be accurate to begin an informed and equitable inquiry and to serve as a reference for possible action regarding the vendor's performance."

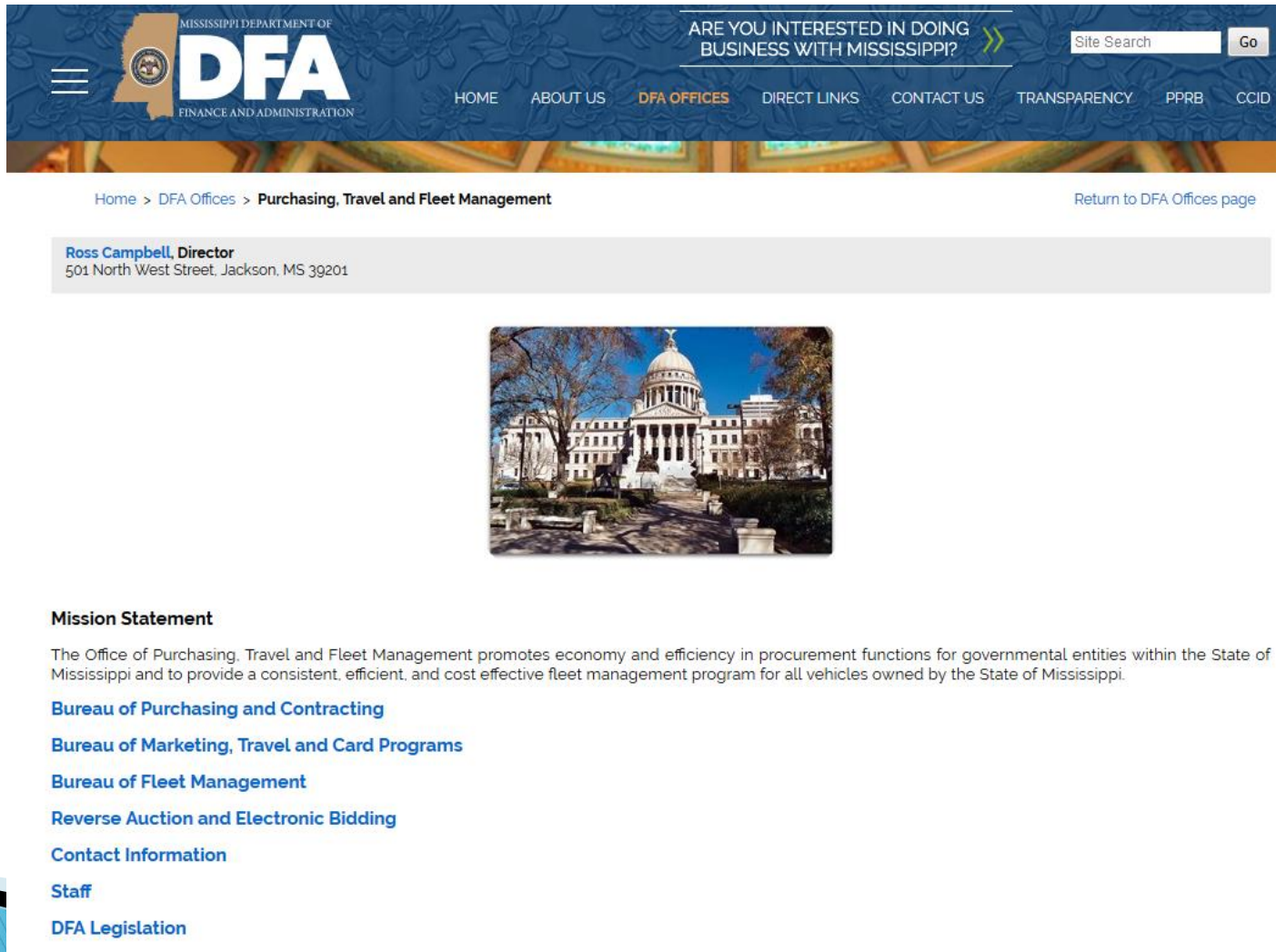
The form contains several sections with input fields:

AGENCY INFORMATION	
Name:	This Report Completion Date:
Address:	City/State/Zip:
Phone:	Facsimile:
Purchasing Agent:	Email:
Individual who initiated complaint	
Name:	Email:
VENDOR INFORMATION	
Name:	Contract Number:
Contract:	Address:
Phone:	City/State/Zip:

COMPLAINT (See Section 6.102 of the Mississippi Procurement Manual)

OPTFM Website and Contracts Activity

► <http://www.dfa.ms.gov/dfa-offices/purchasing-travel-and-fleet-management/>




The screenshot shows the website for the Mississippi Department of Finance and Administration (DFA). The header is dark blue with the DFA logo on the left, which includes the state of Mississippi and the text "MISSISSIPPI DEPARTMENT OF DFA FINANCE AND ADMINISTRATION". To the right of the logo is a navigation menu with links: HOME, ABOUT US, DFA OFFICES (highlighted in orange), DIRECT LINKS, CONTACT US, TRANSPARENCY, PPRB, and CCID. Further right is a search bar with the text "ARE YOU INTERESTED IN DOING BUSINESS WITH MISSISSIPPI?" and a "Go" button. Below the header, there is a breadcrumb trail: "Home > DFA Offices > Purchasing, Travel and Fleet Management". To the right of the breadcrumb is a link: "Return to DFA Offices page". Below the breadcrumb is a box containing the name "Ross Campbell, Director" and the address "501 North West Street, Jackson, MS 39201". In the center of the page is a photograph of the Mississippi State Capitol building. Below the photograph is a section titled "Mission Statement" with the text: "The Office of Purchasing, Travel and Fleet Management promotes economy and efficiency in procurement functions for governmental entities within the State of Mississippi and to provide a consistent, efficient, and cost effective fleet management program for all vehicles owned by the State of Mississippi." Below the mission statement is a list of links: "Bureau of Purchasing and Contracting", "Bureau of Marketing, Travel and Card Programs", "Bureau of Fleet Management", "Reverse Auction and Electronic Bidding", "Contact Information", "Staff", and "DFA Legislation".

Home > DFA Offices > Purchasing, Travel and Fleet Management

Return to DFA Offices page

Ross Campbell, Director
501 North West Street, Jackson, MS 39201



Mission Statement

The Office of Purchasing, Travel and Fleet Management promotes economy and efficiency in procurement functions for governmental entities within the State of Mississippi and to provide a consistent, efficient, and cost effective fleet management program for all vehicles owned by the State of Mississippi.

[Bureau of Purchasing and Contracting](#)

[Bureau of Marketing, Travel and Card Programs](#)

[Bureau of Fleet Management](#)

[Reverse Auction and Electronic Bidding](#)

[Contact Information](#)

[Staff](#)

[DFA Legislation](#)

Review Questions

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Logistics



Objectives

- ▶ Understand the difference in FOB Origin and FOB Destination
- ▶ Explain the difference in FOB and freight
- ▶ Discuss receiving procedures
- ▶ Identify methods of disposing of personal property items

Shipping

- ▶ FOB (Free on board)
 - Two types
 - FOB Origin – ownership (title) transfers from vendor to agency once goods are picked up by the shipper
 - FOB Destination – ownership (title) transfers from vendor to agency once goods are delivered to the agency destination (always use FOB Destination)
- ▶ Freight – states who pays shipping costs, does not address ownership (title)
- ▶ Freight and shipping costs must be included in the total cost estimate for all goods and services

Receiving

- ▶ Check shipping receipt for purchase order number and check the shipping receipt against the purchase order to verify accuracy
- ▶ Does PO contain special instructions?
 - If so, ensure that shipper follows those instructions

Inspection

- ▶ Inspecting Shipments
 - Look for visible damage to the outside of the package
 - Check internal contents for accuracy and for damage
 - Accept shipment
 - Reject shipment
 - Accept undamaged portion and return damaged portion
 - Over shipment – only pay for ordered goods
 - Shortage – pay for what is received only, contact vendor for remaining goods
- ▶ Determine if the item(s) is a fixed asset. If so, alert Property Control to the item's arrival after inspection

Disposal Methods

Disposal law – Section 29-9-9 MS Code annotated

- ▶ Sold
- ▶ Traded
- ▶ Transferred
- ▶ Surplus Property
- ▶ Electronic Recyclers

Sales

- ▶ Personal property can be sold by sealed bid or auction
- ▶ If the item has a value of less than \$1000 it can be sold by private treaty
- ▶ Items valued between \$1000 and \$5000 can be sold after obtaining 2 written quotes
- ▶ Items with a value over \$5000 must be sold by sealed bid or public auction
- ▶ Disposals by sale must be approved by OPTFM for state agencies – (Universities must gain approval by OPTFM)

Competitive Bid Sales

- ▶ Must be advertised in newspaper one time each week for two consecutive weeks. Open no sooner than 8th day
- ▶ No equipment should be released to successful bidder until inventory deletion form has been approved by OPTFM
- ▶ IT products are disposed of in the same manner, but no approval is required by OPTFM or OSA
- ▶ MPTAP notice is not required when bidding for sales for trade-ins

Private Treaty Sales

- ▶ This is a sale where the buyer accepts a price set by the seller
- ▶ Personal property may be sold to another state agency or governing authority
- ▶ Personal property with a value of less than \$1000 may be sold to a private entity

Auctions

- ▶ OPTFM must be notified 15 days prior to auction with all required documentation for review
- ▶ There are 3 options for holding auctions:
 - Auction held on agency property
 - Auction held at auction company location
 - Online auction
- ▶ Auctioneer fees must not exceed an amount equal to 10% per item but not more than \$50 per item
- ▶ If auction company fee is in excess of this, the auction company must be selected through sealed bid

Trade-ins

- ▶ Value of item(s) being purchased must be taken into consideration
 - If items have value over \$5000, two competitive bids must be obtained, even if total cost is less than \$5000 after the trade-in

Trade-ins

- ▶ If value of items being disposed (traded) is greater than \$1000, quotes must be obtained
- ▶ P-1 form must be sent to OPTFM for purchase of new item to which trade-in applies. Disposal paperwork must be included with P-1 documents to be approved by OPTFM.
- ▶ Trade-ins will be approved at the same time as the P-1
- ▶ With the exception of universities, trade-ins will be approved in MAGIC for all state agencies

Trade-ins

- ▶ For universities, disposal paperwork is approved by OPTFM.
- ▶ Copies of paperwork are then returned to agency with approval signatures

Transfers

- ▶ Transfers of property can be made between governmental entities
- ▶ No approval from OPTFM or Audit is required
- ▶ Items cannot be transferred to private entities
- ▶ Transfer of computer and telecommunication equipment must follow the same process
- ▶ Can transfer to Surplus Property
- ▶ Items not sold, traded or transferred should be disposed of using an electronic recycler

Review Questions

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Special Procedures



Objectives

- ▶ Procuring petroleum products
- ▶ Purchasing Hi-tech and Surveillance Equipment
- ▶ Discuss copier purchases and rentals
- ▶ Purchasing commodities produced from recovered materials
- ▶ Procedures for applying preference to resident contractors
- ▶ Information applicable to construction
- ▶ Information applicable to taxes
- ▶ Lease vs. Lease Purchase

Petroleum Products

- ▶ Petroleum Products (gas, diesel fuel, oil, etc.)
- ▶ For products that are \$5000 or less two bids are recommended but not required
- ▶ For products over \$5000 two written quotes are required
- ▶ If quotes are not available, follow normal bidding procedure outlined in MS code 31-7-13(c)
- ▶ The Bureau of Fleet Management maintains a contract for these services and the contract is available for governing authorities

Purchasing Hi-Tech and Surveillance Equipment

- ▶ Mississippi Code 31-7-13 (m) (xix) provides an exemption from competitive bid requirements when purchasing hi-tech and surveillance equipment
- ▶ This code is set up to allow undercover operations to be conducted with this equipment without notifying the public
- ▶ If the purchase is over \$50,000 a P-1 must be submitted
 - Hi-Tech or Surveillance is all that is needed in the description box

Definition of Surveillance Equipment

- ▶ **Surveillance Equipment** – any equipment or device used to monitor, track, or observe persons or things related to any type of investigation or evidence gathering process wherein the need for the highest degree of security is mandatory so as not to compromise the operation in general or personnel in particular

Definition of Hi-Tech Equipment

- ▶ **Hi-Tech Equipment** – any equipment considered by the industry and law enforcement personnel to be specialized, sophisticated and secretive in nature that to publicize its acquisition could or would jeopardize the success of the mission or the safety of those persons involved in that mission

Copiers

- ▶ A number of copiers are on state contract and available for purchase
- ▶ Copiers which exceed \$50,000 in price or are not on contract may be purchased in compliance with statutory bidding requirements
- ▶ Rental Copiers are also on state contract and may be used by any agency or governing authority
- ▶ Rentals not on contract may be purchased using the competitive bid process
- ▶ Trade-ins are allowed

Determining When to Rent, Lease, or Lease-Purchase

- ▶ Consider:
 - Comparative cost of leasing
 - Outright purchase and maintenance
 - Projected total cost for estimated use of the item
 - All other pertinent factors including: continuing need, functional obsolescence and technological advancements
- ▶ Involve policy matters important to the budget as well as to the procurement
 - This requires collaboration between the specific agency and OPTFM

Lease Contracts

- ▶ Used for equipment and commodities when title will not pass to the State at anytime
- ▶ A lease may be entered into provided the following:
 - (1) It is in the best interest of the State
 - (2) All conditions for renewal and costs of termination are set forth in the lease
 - **(3) The lease is not used to circumvent normal procurement procedures**
- ▶ Shall not contain a purchase option
- ▶ Any option for renewal or extension should be included in the original solicitation

(Master) Lease-Purchase Contracts

- ▶ Title passes to State at the end of the lease
- ▶ All lease-purchase contracts must be approved by OPTFM
- ▶ Considered a purchase transaction
- ▶ Payments come from capital outlay
- ▶ Shall contain non-appropriation clause
- ▶ Universities should refer to IHL's policies concerning lease-purchase contracts
- ▶ Unlawful for any agency to enter into any single lease purchase transaction for any items having an acquisition cost of less than \$10,000

Multi-year or Short Term Rental Lease Agreements

- ▶ May be used when:
 - (1) Promotes economy in procurement by obtaining the benefits of reduced monthly rental cost due to extended term rental and sufficient funds are not available for purchase
 - (2) Equipment requested is for a special project that would not warrant a purchase as the project is of short duration and with the termination of that project there would be no further need for the equipment
 - (3) Such reason as may be prescribed by law for certain entities

Generic Rental Agreement

- ▶ Required for copiers and mailing equipment
- ▶ <http://www.dfa.ms.gov/media/5881/genericrentalagreement-february-2017.pdf>
- ▶ Make sure you are using the Rental Agreement dated February 2017!

Purchasing Commodities Produced from Recovered Materials

- ▶ Must ask for Recycled Materials in the specs
- ▶ If low bid that meets specifications is made from recovered materials, award to that vendor
- ▶ If the low bid is not made from recovered materials, then the award will be made to the low bid that meets specs which is made from recovered materials; provided, however, that the price paid may not be more than ten percent (10%) higher than lowest bid
- ▶ If there are no bids for recycled products within ten percent (10%) of the lowest bid, then the award will be made to the vendor offering the lowest bid.

Procedures for Applying Preference to Resident Contractors

- ▶ If State A has a five percent (5%) instate preference and a vendor from State A is bidding in Mississippi, then you must give a Mississippi vendor a five percent (5%) preference in the evaluation and award of the contract
- ▶ Agencies are advised to review the applicable statutes and discuss this matter with their attorney

Information Applicable to Taxes

- ▶ In general, state agencies have limited authority to pay taxes. Therefore, any reference to taxes owed in contracts should be reviewed with legal counsel. Agencies may want to consider deleting sections pertaining to the payment of taxes during negotiations with the vendor. Agencies should advise vendors that the state is exempt from taxes on the sale of property, labor, services and products sold directly to the state or its departments or institutions.

Review Questions

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STATE OF MISSISSIPPI OFFICE OF PURCHASING, TRAVEL AND FLEET MANAGEMENT

Procurement and Travel Card Services

Procurement Card Staff

Yolanda Thurman
Procurement Card Administrator
Office of Purchasing, Travel and
Fleet Management
601-359-2016
601-359-3910 (fax)
Yolanda.thurman@dfa.ms.gov

Candice Hay
Travel Coordinator
Office of Purchasing, Travel and
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601-359-3910 (fax)
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Steve Tucker, Director
Marketing, Travel and Card Programs
Office of Purchasing, Travel and Fleet
Management
601-359-3107
601-359-3910 (fax)
Stephen.tucker@dfa.ms.gov

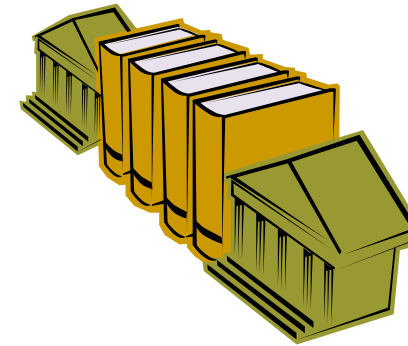
Key Terms

- ▶ Procurement Card (P-Card)
- ▶ Procurement Card Administrator
- ▶ Program Coordinator (PC)
- ▶ Merchant Category Codes (MCC Codes)



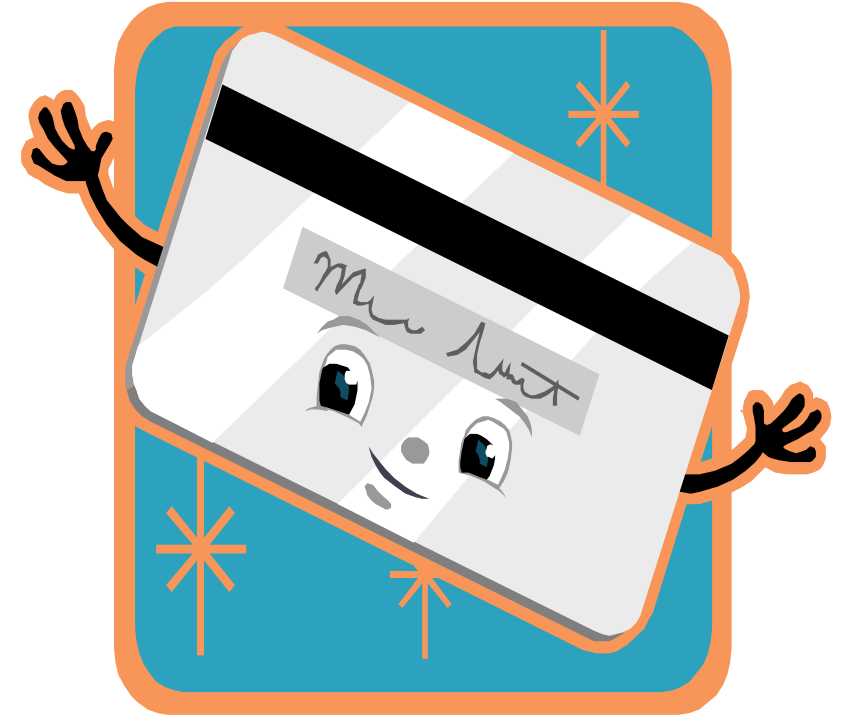
Laws and Policy

- ▶ MS Code, 1972, Annotated, Section 7-7-23
 - The State Fiscal Officer established a general rule to allow state agencies to make certain purchases without first issuing a purchase order
- ▶ MS Code, 1972, Annotated, Section 31-7-9
 - Gives OPTFM the ability to develop regulations to oversee the use of the p-card program



Procurement Card Program Purpose

- ▶ Speed
- ▶ Ease of use
- ▶ Used for both
Commodities/services
- ▶ Used for a large number of small
purchases
- ▶ Allow departmental personnel to
make small dollar purchases
(\$5,000 & under)



Benefits of the P-card Program

- ▶ Reduction in issuing small dollar PO's
- ▶ Reduces process time spent processing large number of requisitions
- ▶ Increase in processing efficiency
- ▶ Increase in purchasing flexibility
- ▶ The procurement card program provides an easy purchase method which can improve customer service
- ▶ Suppliers benefit from prompt payment
- ▶ Fewer duplicated invoices



P-Card Guidelines

- ▶ Serve as a source of information about the State of Mississippi Small Purchase Card Program
- ▶ Include information such as:
 - Useful Contact Information
 - Prohibited Purchases
 - Maximum Threshold Amount for p-card usage
 - Forms for agency p-card program maintenance
 - Directions on how to become a part of the p-card program
- ▶ Can Be found on OPTFM website at:
<http://www.dfa.ms.gov/media/7135/procurementcardguidelinesrevised10-30-2013.pdf>

Getting Started.....

- ▶ Define documentation and process for Procurement Card
- ▶ Designate a Departmental Program Coordinator Card Administrator
- ▶ Prepare a filing system
- ▶ Complete **ALL** necessary set up forms for the agency or governing authority
- ▶ Email/fax/or mail forms to OPTFM




Program Coordinator Responsibilities

- ▶ Identify cardholders authorized to purchase on behalf of the agency/department
- ▶ Approve, copy, and submit completed applications/forms to OPTFM
- ▶ Responsible for distribution of pertinent information to agency/department staff



General Conditions

- ▶ Agencies/Departments may use the procurement for bona fide needs of the agency/department
 - ▶ Maximum amount of purchases is \$5,000 per single transaction
 - ▶ Agencies/departments should have an organized and designated operating procedures and designated personnel to manage the program
- 

Minimum Requirements

- ▶ While using a p-card, the cardholder must be mindful of the following:
 - The prices of products or services are fair and reasonable
 - Available budget authority exists to cover expenditures
 - No capital equipment
 - Purchases comply with purchasing laws
 - Items are not on the prohibited list
 - State contract items can be purchased with the p-card
 - Reconciliation process should be conducted by cardholder and program coordinator

Prohibited Purchases Examples

- ▶ Fuel
- ▶ Gifts
- ▶ Generators
- ▶ Entertainment
- ▶ Motorized vehicles
- ▶ Alcoholic beverages
- ▶ Items on back order
- ▶ Items for personal use
- ▶ Travel related expenses
- ▶ Televisions (greater than \$250)
- ▶ Reoccurring automatic monthly charges
- ▶ Radioactive, Explosive, or other Hazardous material
- ▶ Camera and Camera Equipment (greater than \$250)
- ▶ Contractual Services to an Individual, Sole Proprietor, Partnership or LLC-Partnership
- ▶ Computer and Computer equipment (greater than \$250) (central processing unit, terminal, printer, external hard drive)

Equipment Purchases

All agencies and universities are required to maintain a complete and current inventory list of each property item which costs \$1000 or more unless the items purchased fall within the groups listed below. These items will be required as equipment, regardless of their purchase value.

- ▶ Weapons
- ▶ Two-way radio equipment
- ▶ Lawn Maintenance Equipment
- ▶ Cellular telephones
- ▶ Chain Saws

NO EQUIPMENT PURCHASE is allowed on the state p-card



Itemized Receipts/Invoices

- ▶ Obtain an itemized receipt/invoice for each purchase
- ▶ If receipts cannot be obtained, complete a Missing Document Affidavit Form can be found on the OPTFM website at:

<http://www.dfa.ms.gov/media/3106/umbmissingdocumentaffidavitform.pdf>

GOOD

McDade's Market
904 East Fortification St.
Jackson, Ms 39202
(601) 355-9668

Purchase \$ 14.97

VISA #SXXXXXXXXXX0065
Auth # 019364 Exp Date **/**
Lane # 01 Cashier # 122
12/19/12 13:16 Ref/Seq # 011216
Mrch=685120 Term=001 IC=CC
EPS Sequence # 011216

TAX EXEMPT #1234

GROCERY

COKE ZERO	\$4.99	F F
DIET COKE	\$4.99	F F
SPRITE	\$4.99	F F

BALANCE DUE	\$14.97
VISA	\$14.97

[S] **** * 0065

Auth Code = 019364

CHANGE	\$0.00
--------	--------

SUB TOTAL	\$14.97
TOTAL TAX	\$0.00
TOTAL	\$14.97

TAX FORGIVEN	\$1.05
--------------	--------

C0122 #4005 13:17:16 19DEC2012
S00003 R001

THANK YOU FOR

BAD

Thank you for dining with
P.F. Chang's China Bistro.
98 S. Second St.
San Jose, CA 95113

Server: Spencer DOB: 02/17/2012
06:40 PM 02/17/2012
Table 26/1 3/30026

SALE

Visa 5242894
Card #XXXXXXXXXX0863
Magnetic card present:
Card Entry Method: S

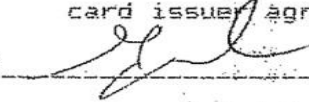
Approval: 015101

Amount: \$ 87.15

+ Tip: 10 =

= Total: 97.15

I agree to pay the above
total amount according to the
card issuer agreement.

X 

If a 15 Digit Survey Code
is printed above, we cordially
invite you to participate
in our survey at

www.pfchangs.com/survey

Thank you!

Campol

DUNAS CSS STAFF

Food Purchases on P-Card

- ▶ Determine if the purchase is for a business meeting/event or a bulk food purchase
- ▶ If business meeting, an agenda is needed
- ▶ Complete Food Form located on the OPTFM website at:
<http://www.dfa.ms.gov/media/3095/umbfoodpurchaseform.pdf>

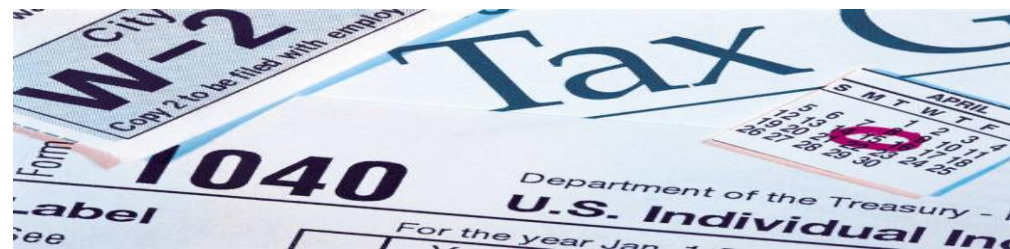
Split Purchases

- ▶ The maximum amount of a Procurement Card Purchase is \$5,000
- ▶ Split purchases are not allowed and can not be processed with a state p-card
 - Split purchases is defined as splitting one purchase totaling more than \$5,000 into several to circumvent the \$5,000 limit
- ▶ Purchases over \$5,000 must be on a purchase order and requires two written quotes




TAXES

- ▶ State of MS sales tax should not be charged to the procurement card
- ▶ Responsibility of user to inform vendor of tax exempt status
- ▶ If charged tax, user should obtain a credit
- ▶ If no credit is obtained, the cardholder must submit payment to the agency for the total tax amount charged during that transaction



Surcharges

- ▶ MS Code section 31-7-9 (1) (d) prohibits a vendor from imposing a surcharge on the P-Card
 - ▶ Surcharge is when the vendor is charging an extra fee just because the form of payment is credit card and not cash
 - ▶ If a surcharge occurs during a transaction, the card user should obtain a credit from the vendor
- 

When a Mistake is Made

In the event that a true mistake has been made and a credit is not obtainable or an item is not returnable complete the following:

- ▶ Notify program coordinator of mistake
- ▶ Type a justification memo with complete details of the situation
- ▶ Place memo with the monthly statement and receipt of items purchased

Declined Purchases

In the event that the card is declined when attempting to purchase items the following actions should be completed:

- ▶ Contact your agency's P-Card Program Coordinator and explain the situation
- ▶ The PC will notify the P-Card Administrator of the declined purchase
 - The P-Card Administrator is to only deal with the PC, not each individual cardholder
- ▶ The P-Card Administrator will look into the transaction and will either open the card to process the transaction **or** communicate with the coordinator as to why the transaction can not be completed



Replacement Card

- ▶ If the bank detects fraudulent activity, the bank will automatically close the card and reissue a replacement card
- ▶ If the agency wants to issue a replacement card due to fraud detection, a damaged card, name change, and/or etc., the program coordinator should contact the program administrator
- ▶ Once a replacement card is received or the agency has determined that a replacement card is needed, the program coordinator should complete the following actions:
 - Send the PA a closure form for the closed card or card to be closed (if needed)
 - Send the PA a setup form for the newly issued replacement card with that cards information
 - Only send this in if the replacement card has a new account number
 - Shred the old card

Lost/Stolen Cards

- ▶ Report lost/stolen cards immediately
- ▶ Call 1-800-821-5184
- ▶ After calling the bank, report lost/stolen card to your agency's Program Coordinator
- ▶ Replacement Card will be mailed within 48 hours




Security Issues

- ▶ Keep the procurement card in a secure location (e.g. locked file cabinet or office safe)
- ▶ Require users to sign the office procurement card out and in after use
- ▶ Do not carry the procurement card on vacations, weekends or holidays
- ▶ Keep the procurement card separate from personal credit cards.
- ▶ Always double check receipts against bank statements



Balances on Accounts


- ▶ Balances should not be carried over to the next month
 - ▶ Balances on the procurement card shall be paid at the receipt of the monthly statement, once statement(s) have been reconciled for accuracy
 - ▶ Per Section 31-7-305, MS Procurement Manual, amounts shall incur an interest rate of 1 ½ %
- 

Liability

The State of Mississippi will not accept any liability or financial responsibility for state employees' charges that have not been authorized and exceed any specified limits and violate any of the MCC code restrictions pursuant to current card association rules and regulations.



High Level Reconciliation Process

- ▶ A statement will be sent to the agency/governing authority at the end of each billing cycle
 - ▶ The program coordinator will distribute individual cardholder statements for review, verification, and reconciliation
 - ▶ After the individual cardholder has verified all purchases, the program coordinator will check the cardholder's statement to ensure that all necessary information is included
 - ▶ A copy of the master statement, and original individual statements, logs, etc., related to the program must be maintained at the agency and available upon request for audit purposes
 - ▶ The approved master statement will be forwarded to the accounting office
 - ▶ Questions about paying your bill should be directed of the Bureau of Financial Control 601-359-3538
- 

P-Card Reviews

- ▶ Pcard Reviews are conducted to ensure that cardholders are utilizing the program correctly
- ▶ Agencies will receive a notice from the Pcard Administrator notifying the Program Coordinator of which card will be reviewed and the time frame of which all receipts and statements should be submitted
- ▶ If any inconsistencies are found by the Pcard Administrator, the agency is required to:
 - Submit any departmental memos to answer any questions
 - Submit a plan on how the errors will be corrected in the future
 - Submit proof showing that cardholders have submitted money to the agency for any taxes, surcharges, or unapproved expenses
 - Complete additional p-card training
 - Send in follow-up transaction data



Rebate

- ▶ The more the cards are used the higher the rebates
- ▶ Based on the State's entire p-card overall spend and the amount of time it takes for agencies to pay their bills, a rebate is awarded to all agencies participating on the state p-card program

Travel Card Program

- ▶ The State Travel Card is a travel tool that may replace the traditional purchasing method of purchasing airline tickets, booking hotel rooms, paying for vehicle rental services and more
- ▶ The savings from reduced paperwork and online processing can provide a direct benefit to the Agency



General Travel Card Information

- ▶ 3 Types of Travel Card Accounts
 - Cardless
 - Individual Plastic Card
 - Department Plastic Card
- ▶ Obtaining Travel Card Accounts
 - All forms are accessible via the OPTFM Website
 - The process is parallel to the p-card new account procedure
 - Forms should be scanned and emailed to Candice.hay@dfa.ms.gov for approval
- ▶ Authorized Expenses
 - Anything that is travel related (lodging and travel to the designation)
 - Registrations to conferences

Recap

- ▶ Keep procurement and travel card(s) in a secure location
- ▶ Train card users about proper policy and procedure
- ▶ Use card for speed and money savings
- ▶ Visit DFA Office of Purchasing and Travel webpage for latest information:
<http://www.dfa.ms.gov/dfa-offices/purchasing-travel-and-fleet-management/>

P-Card Activity



Review Questions

Page -106-



Bureau of Fleet Management

Billy Beard, Director

Ramona Jones, Senior Contract Analyst

Woolfolk Building
Suite 701A
501 North West Street
Jackson, MS 39201
601.359.3409



Purchasing State-Owned Vehicles: Approval

- ▶ No Department or Agency of the State of Mississippi may purchase any motor vehicle, regardless of funds used, without first obtaining approval from the BFM!!!!
- ▶ No requests shall be approved if the agency has not properly maintained vehicle data in MAGIC
- ▶ Inadequacies or discrepancies must be corrected prior to approval



Purchasing State-Owned Vehicles: Justification


- ▶ Agencies must submit with request the lowest cost vehicle possible to carry out its intended use
- ▶ Requests shall be in writing from agency head, certifying it's the lowest cost option available
- ▶ The requesting agency should ensure that the intended use and justification of need is as specific and detailed as possible the first time it is submitted

Vehicle Request Form

Appendix A – Vehicle Request Form (Page 1)

Name of Agency		Agency Contact Name
Agency Contact Phone		Agency Contact Fax
SECTION A		
Addition/Replacement	<input type="checkbox"/> Addition <input type="checkbox"/> Replacement (Complete Section D for Addition Requests)	Purchase Price \$
Purchase From:	<input type="checkbox"/> State Contract <input type="checkbox"/> Surplus <input type="checkbox"/> Auction	Purchase Option (check all that apply) <input type="checkbox"/> Purchase <input type="checkbox"/> Master Lease
Vehicle Requested <input type="checkbox"/> New <input type="checkbox"/> Used (Check One)		
Requested Options		
VEHICLE DATA	VEHICLE TO BE REPLACED	REQUESTED VEHICLE
Year		
Make		
Model		
VIN		N/A
License Number		N/A
Asset Number		N/A
Current Odometer		(leave blank for new vehicles)
Annual Miles Driven	Prior FY Actual	Estimated Annual Mileage
Vehicle Category	Pick One	Pick One
Check all that apply	<input type="checkbox"/> 4WD <input type="checkbox"/> Police Equipped	<input type="checkbox"/> 4WD <input type="checkbox"/> Police Equipped
Primary Assignment	<input type="checkbox"/> Commute <input type="checkbox"/> Non Commute <input type="checkbox"/> Law Enforcement	<input type="checkbox"/> Commute <input type="checkbox"/> Non Commute <input type="checkbox"/> Law Enforcement
Assignment Name Designated Operator		
Vehicle Purpose Primary Use: Check one box & briefly describe intended use of vehicle by agency.	<input type="checkbox"/> Passenger <input type="checkbox"/> Work	<input type="checkbox"/> Passenger <input type="checkbox"/> Work
Reason for Replacement	<input type="checkbox"/> Routine (Over 120,000 miles) <input type="checkbox"/> Other (Complete Section E)	Actual Disposal Date/Miles BFM (USE)
Estimated Disposal Date		
SECTION B: SIGNATURES		
Agency Head or Executive Director		I understand that signing this form means that this purchase and the subsequent use of this vehicle must comply with all policies of the Bureau of Fleet Management. Violation of these policies is a misdemeanor or criminal offense and may subject the Executive Director or the authorized user of the vehicle to criminal prosecution. By my signature, I certify that the vehicle requested is the lowest cost option available to carry out its intended use, and acknowledge that any request contrary to this provision shall subject me, as agency head, to penalties as provided in Sections 25-1-91, 31-7-55, and 31-7-57 where applicable. (HB 938)
Date: _____		

Purchasing State-Owned Vehicles: Vehicle Replacement

- ▶ When “vehicle replacement” is the justification for a new purchase, the vehicle being replaced must be disposed of within 60 days of delivery of the new vehicle
 - ▶ Agencies should identify the vehicle to be replaced with the information required by Section 3.101.03 of the Fleet Manual
- 

Purchasing State-Owned Vehicles: **Vehicle Purchase Records**

- ▶ The department or agency shall maintain proper purchase documentation which provides the intended use of the vehicle and the basis for choosing the vehicle.



Purchasing State-Owned Vehicles: Title Process

- ▶ Vehicle Titles should be titled as:
 - State of Mississippi/Department of Finance and Administration – Agency Number
 - See Appendix H
 - Title application shall reflect the requesting agency's current address as the mailing address on the title with the titles being retained on file at the Agency.

Purchasing State-Owned Vehicles:

Marking of State-Owned Vehicles

- ▶ State Vehicles should have :
 - Permanent Decal
 - Or Painted on both sides of the vehicle in letters at least three inches in height and on the rear in letters no less than one-half inches in height, Stating the name of the Agency
 - Must be in color that contrasts with the vehicle
 - Refer to Section 25-1-87 of the MS Code



Vehicle Use Policy:

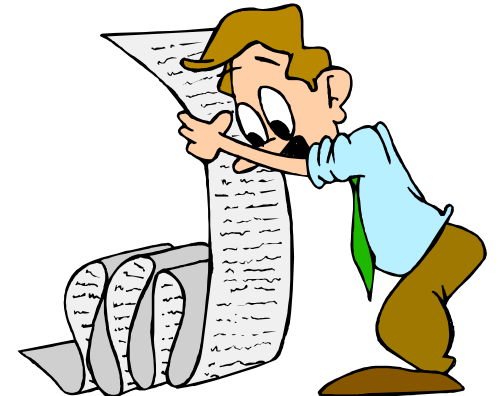
Operating a State-Owned Vehicle

▶ **Authorized users include:**

- State employees
- State contract workers
- Elected and/or appointed officials
- Independent contractors (where approved on a case by case basis)
- Section 5.201.04 Fleet Manual

▶ **Authorized users must have:**

- A valid driver's license (Mississippi residents must have a Mississippi Driver's License)
- Acceptable driving record (see UA – 1 Form)
- Authorized by their agency to operate a state-owned vehicle



Vehicle Use Agreement

Appendix B	
Form UA - 1, 09/11	
STATE OF MISSISSIPPI VEHICLE USE AGREEMENT	
I (print name) _____ being age 18 or older, understand and agree that my use of any State of Mississippi vehicle from _____ to _____ (maximum one year) shall be exclusively for official business of the State of Mississippi. I understand and agree that personal use of the State-owned vehicle is prohibited. I agree to operate this vehicle in a safe, prudent and lawful manner at all times. Seat belts shall be worn by all vehicle occupants when the vehicle is in motion. I will not permit any other person to operate the vehicle while it is in my control, unless the person is an authorized user of state vehicles. I will not drive this vehicle out of the State of Mississippi without prior approval. I do truthfully state that I have a valid, non-conditional driver's license and that my privilege to drive is not currently under suspension. I grant permission to the Agency to verify my license information and motor vehicle driving record and willingly offer the following license information: Date of Birth _____ License No. (If SSN list last 4 digits) _____	
One of the following MUST be checked:	
<input checked="" type="checkbox"/> (1) I do truthfully state that in the past three years: my license has not been suspended, I have not been convicted of any alcohol related driving violations, nor have I been convicted of any offense related to the use or operation of a motor vehicle.	
<input checked="" type="checkbox"/> (2) I do truthfully state that in the past three years I have been issued a ticket or citation for the following violations related to the use or operation of a motor vehicle (list):	
Type of violation: _____	Date: _____
Type of violation: _____	Date: _____
Type of violation: _____	Date: _____
I UNDERSTAND THAT FALSE STATEMENTS OR THE USE OF A STATE-OWNED VEHICLE NOT PERMITTED BY THIS AGREEMENT WILL RESULT IN DISCIPLINARY ACTION AND REQUIRE ME TO ASSUME THE FULL LEGAL AND FINANCIAL CONSEQUENCES OF MY ACTIONS. I HAVE BEEN GIVEN A COPY OF THE STATE RULES AND REGULATIONS FLEET MANUAL AND HAVE READ AND UNDERSTAND ITS CONTENTS. IMPORTANT NOTICE TO DRIVER: DO NOT SIGN BELOW UNLESS YOU HAVE READ AND UNDERSTAND THIS DOCUMENT.	
Agency Name: _____	Agency No.: _____
Driver Signature: _____	Date Signed: _____
Signature of Executive Director: _____	Date Signed: _____
PROCESSING DIRECTIONS: It is the employing agency's responsibility to require potential drivers of	

State-Owned Vehicles:

Logs

- ▶ A daily log of all trips must be recorded for each state-owned vehicle. (See Appendix G for Sample Daily Trip Log.)
- ▶ Each daily trip log shall contain:
 - the operator of the vehicle,
 - date of vehicle use,
 - beginning and ending odometer reading,
 - total miles traveled,
 - purpose of each trip,
 - and the business locations visited each day
- ▶ Agencies with law enforcement drivers should contact the BFM for guidance on compliance with this section



Daily Trip Log


Appendix G Daily Trip Log							
A Daily Trip Log must be recorded for each state-owned vehicle. Agencies must maintain all daily log files for at least three (3) years. Failure to complete this log is vehicle misuse and subject to penalties set forth in the manual.							
Vehicle Asset Number	Current Month	Current Year	Agency Number	Monthly Starting Miles	Monthly Ending Miles	Monthly Commuting Miles	Monthly Business Miles

[illegible]

Vehicle Use Policy:

Misuse or Inappropriate Activities


Inappropriate activities or misuse include, but are not limited to:

- ▶ Using the vehicle for personal use outside of the employees' scope of employment
 - ▶ Failure to maintain accurate daily trip log (Appendix G)
 - ▶ Use of alcohol in state-owned vehicles
 - ▶ Use of drugs in state-owned vehicles
 - ▶ Use of tobacco products in state-owned vehicles
- 

Vehicle Use Policy:

Misuse or Inappropriate Activities

Inappropriate activities or misuse include, but are not limited to continued:

- ▶ Improper vehicle assignment
 - ▶ Failure to report changes in driving status;
 - ▶ Falsification of documents
 - ▶ Failure to comply with vehicle safety laws (ex: speeding and /or reckless driving)
 - ▶ Failure to take proper care of the vehicle
 - ▶ Failure to comply with any policy or procedure otherwise set forth herein
 - ▶ Violation of vehicle replacement policy
- 

State-Owned Vehicles: **Unauthorized Usage**

- ▶ Sightseeing or trips for pleasure unless the trip is part of the official agenda for a business conference
- ▶ Transporting family members, dependents or friends to school, daycare, medical appointments, social events or other personal activities
- ▶ Conducting other personal business outside the authorized user's scope of employment



Vehicle Use Policy:

Vehicle Classification

- State Vehicles Assignments are classified as:
 - Law Enforcement: a state-owned vehicle assigned to a sworn law enforcement officer as defined in section 45-6-3 of the code, or a law enforcement trainee as defined in section 45-6-3 (e) of the code, to be driven in the daily performance of the duties of a sworn law enforcement officer or trainee if use of the vehicle is essential for the employee to carry out their job duties. Agencies must supply a copy of the official certification from the Mississippi Board on Law Enforcement Officer Standards and Training (BLEOST)
 - Commute: a state-owned vehicle assigned to be driven from an employee's official duty station or temporary place of work to an employees residence as needed
 - Non- Commute: a state-owned vehicle assigned to be driven to and from an employees official duty station to any temporary place of work and returned to the official duty station on a daily basis. This vehicle must not be driven to and from the employee's residence

State Vehicle Safety Operation Policy

Distractions

Impaired
Driving

Fines

Seat
Belts



State Vehicle Safety Operation Policies :


Reporting Accidents

- ▶ Call an ambulance if anyone is injured
- ▶ Immediately notify the city police, sheriff's office or highway patrol
- ▶ Do not move either vehicle until an officer of the law advises you to do so
- ▶ The Proof of Insurance number that should be entered on the police report is 11-46-15



State Vehicle Safety Operation Policies :

Reporting Accidents

- ▶ Do not make any statement of guilt to any party
 - ▶ Notify your immediate supervisor as soon as possible
 - ▶ Complete a State of Mississippi Liability Claim Report Form, available online
 - ▶ Submit the form, along with police report and any other applicable information to TORT
- 

Liability Claim Reporting Form



STATE OF MISSISSIPPI LIABILITY CLAIM REPORTING FORM

Agency: _____ Department/District: _____
Address: _____ City/State/Zip: _____
Person to Contact: _____ Telephone Number: _____

1. If accident, other than automobile, please complete this section:

Name: _____ Social Security No.: _____
Home Address: _____ City/State/Zip: _____
Home Telephone Number: _____ Work Telephone Number: _____
Date of Loss: _____ Time of Loss: _____ Location of Accident: _____
Description of Accident: _____

2. If automobile accident, please complete the following: (State Employee and State Vehicle):

Name of State Driver: _____ Social Security No.: _____
Home Address: _____ City/State/Zip: _____
Home Telephone Number: _____ Work Telephone Number: _____
Date of Loss: _____ Time of Loss: _____ Description of State Vehicle Involved: _____
Tag No.: _____
Description of Accident: _____

3. If property, other than State owned, was damaged, please complete the following:

Describe Property: _____ Describe Damage: _____
Owner's Name: _____ Telephone Number: _____
Home Address: _____ City/State/Zip: _____
Where can property be seen? _____

4. If injuries involved, please complete the following: (Other than State Employee)

****All injured State employees should be reported to Workers' Compensation.**

Injured Party's Name: _____
Home Address: _____ City/State/Zip: _____
Home Telephone Number: _____ Work Telephone Number: _____
Describe Injury: _____
Was injured person taken to doctor/hospital? _____
If yes, where was the injured person taken? _____

5. If more than one person injured, please list names and addresses of all other injured parties: (Other than State Employee)

A. Injured Party's Name: _____

Maintenance and Care of Vehicles

- ▶ All agencies are urged to establish a written policy which shall describe the planned maintenance program for its fleet
- ▶ All maintenance and repairs performed on state-owned vehicles must be documented in MAGIC and retained for the life of the vehicle



"You won't hear that funny noise anymore. I turned up the volume on your radio and pulled off the knob."

search ID: mben957

Maintenance and Care of Vehicles:

Fuel Purchases

- ▶ Gasoline purchases shall be obtained using the state-approved fuel access card from vendor facilities that accept the state-approved Fuel Access Card
- ▶ Compare FuelMan pricing weekly on the OPTFM website
- ▶ Only regular unleaded gasoline or diesel from self-service pumps should be used. No higher-octane gas is to be purchased



Maintenance and Care of Vehicles :

Alternative Fuels

- ▶ Each agency is encouraged to purchase alternative fuel vehicles and use alternative fuels when it is determined that it would be cost effective and would not cause harm to the state-owned vehicle
- ▶ Purchase of alternative fuels are 100% reimbursable, where pre-approved by the operator's agency



Vehicle Replacement and Disposition:

Replacement Criteria

Vehicle	Years	Miles
Sedans and Wagons	7	150,000
Light Trucks and Sports Utility Vehicles (8,600 GVWR or below)	7	150,000
Passenger Vans	7	150,000
Cargo Vans	7	150,000

Vehicle Replacement and Disposition:


Methods

- ▶ State-owned vehicles which become surplus to the needs of a state agency may be disposed of in any of the following ways:
 - Sold
 - Traded
 - Transferred

Vehicle Replacement and Disposition: State-Owned Vehicle Disposal Specification

- ▶ The specifications or instructions to prospective buyers should provide a listing of all items being offered and such listing shall provide:
 - Make/Model
 - Year of Manufacture
 - Mileage
 - Location (Where the vehicle may be inspected)
 - Date and time when vehicle may be inspected
 - Address of location to which the bids shall be delivered
 - Time and date set for the bid opening
 - Name of person to be contacted if additional information is necessary

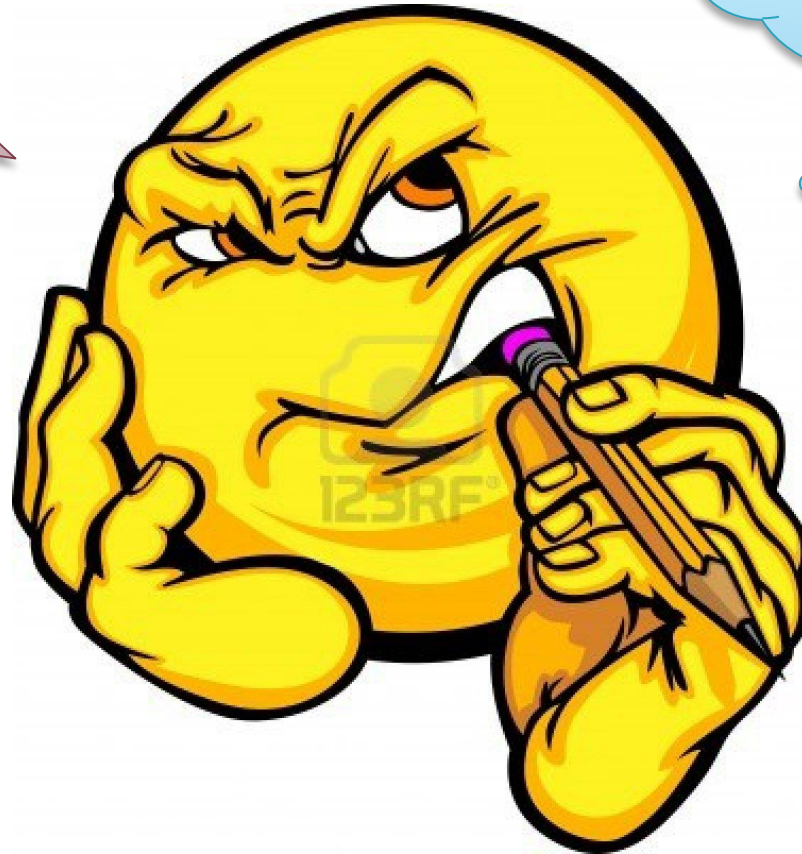
Fleet Management Certification Program

- ▶ The Bureau of Fleet Management will be implementing a Fleet Manager Certification Program to ensure that Agency Fleet Coordinators have the necessary knowledge to complete Fleet Management tasks in MAGIC
 - ▶ The certification program will be offered beginning January of 2019. All agencies are required to have a **Certified Fleet Manager** in order to procure vehicles by July 1, 2019
 - ▶ Each agency requesting to purchase a vehicle from Fiscal Year 2020 and forward must have an employee with a Fleet Manager Certification as well as have complete and accurate data in MAGIC
 - ▶ The Fleet Manager Certification Program will consist of a lecture, demo, review, and exam. The Fleet Manager will be required to attend the entire program and pass the exam in order to become a Certified Fleet Manager
- 

REVIEW??

What is DFA ??

Why am I
taking this
class again??



What are
examples of
“justification” for a
vehicle? ?

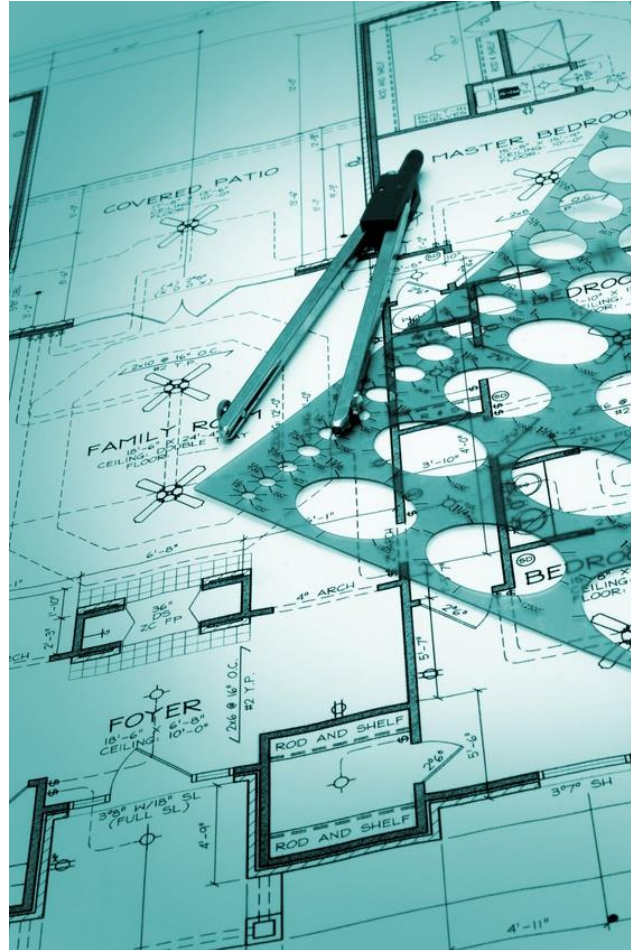
What do I want
for dinner??

?? Questions ??

See page 117 in the CMPA Manual



Determining Invitation for Bids, Request for Proposals, and Writing Bid Specification Requirements



Provided by the Office of Purchasing, Travel, and Fleet
Management

Unit Objectives

- ▶ Define key terms
- ▶ Differentiate between the reverse auction, bidding, and proposal processes
- ▶ Identify the steps in the bid process and the proposal process
- ▶ Understand when each process is appropriate
- ▶ Explain the purpose for specifications
- ▶ Identify key considerations for developing specifications
- ▶ Discuss procedures for developing specifications
- ▶ Explain key restrictions for specifications

Key Terms

- ▶ Brand Name Specification
- ▶ Brand Name or Equal Specification
- ▶ Qualified Products List
- ▶ Specification
- ▶ Reverse Auction
- ▶ Invitation for Bid
- ▶ Request for Proposals

1st things 1st

- ▶ Upper level Management buy-in
- ▶ End – User input
- ▶ \$ funds



Reverse Auction General Overview

► The Process

- Determination of the need
- Development of bid specifications
- Advertisement placed in local paper and with MPTAP
- Responses are received and reviewed to determine responsiveness; quotes received are used to develop starting price (if they conform to market research)
- Responsive bidders invited to auction event
- Auction is held
- Lowest and best responsive, responsible bidder is awarded
- Other offerors are notified of award
- Contract developed and signatures obtained
- Purchase order issued and contract is managed

IFB General Overview

▶ The Process

- Determination of the need
- Determination that RA will not work for this procurement (Exemption from RA granted by PPRB or in the case of a term contract, reverse auction shall not be the primary method)
- Development of bid specifications
- Advertisement placed in local paper and with MPTAP
- Bids are received (with time and date stamp)
- Bids are opened at specified time as advertised
- Results tabulated
- Lowest and best responsive, responsible bidder is awarded
- Other offerors are notified of award
- Award is approved by PPRB
- Contract developed and signatures obtained
- Purchase order issued and contract is managed

Why Bid Specifications?

- ▶ Specifications serve as a basis for obtaining a supply, service, or construction item adequate and suitable for the State's needs in a cost-effective manner, taking into account, to the extent practicable, the costs of ownership and operation as well as initial acquisition costs
- ▶ Specifications permit maximum practicable competition consistent with this purpose
- ▶ Specifications shall be drafted with the objective of clearly describing the State's requirements

Specification Sources

- ▶ Collect as much information as possible from end user as to the function/performance of the requested product
- ▶ Get product info from industry (brochures, catalogs, specs)
- ▶ Look for standards and test information from professional societies where available
- ▶ Call similar agencies in other States to see if specifications already exist
- ▶ Call on subject matter experts in the purchasing field
- ▶ NIGP Database of Specs

Why Use Specifications

- ▶ To maximize competition
- ▶ To let vendors know what you want while not restricting bidding as well as encouraging open competition
- ▶ They serve as public records
- ▶ They are necessary to evaluate bids to determine if the bids are responsive

Shall, May, Should, or Will

- ▶ Use “shall” to denote the imperative
- ▶ Use “may” or “should” to express non-mandatory provisions
- ▶ Use “will” to express future requirements or when certain conditions are met

Formulation and Restriction

- ▶ Specifications for term contracts when issued for the first time will be sent to selected competitive vendors for their review and comment prior to the request for formal bid
- ▶ It is not the intent to either write or approve any specifications that are restrictive and preclude competitive bidding
- ▶ It is not the intent to write or allow to be written specifications that are so open and nonspecific as to invite participation by vendors offering less than quality products

Formulation and Restriction

- ▶ Welcome and invite vendor participation, but do not tolerate vendor dictations
- ▶ In some cases, specifications will invite bids on a single product or service or major repair part

Authority to Prepare Brand Name Specification

- ▶ Since use of a brand name specification is restrictive, it may be used only when the Chief Procurement Officer makes a determination that only the identified brand name item or items will satisfy the State's needs
- ▶ Agencies shall seek to identify sources from which the designated brand name item or items can be obtained and shall solicit such sources to achieve whatever degree of competition is practicable

The Right Way

- ▶ When using brand name or equal, seek to designate as many different brands as are practicable as “or equal”
- ▶ Be clear that use of brand name or equal is for the purpose of describing the standard or quality, performance, and characteristics desired and is not to limit or restrict competition
- ▶ List two or more brand names and model numbers and “or equal”, then list the salient features common to all of the identified, acceptable products

Specifications Prepared by Architects and Engineers

- ▶ The requirements regarding the purposes and non-restrictiveness of specifications shall apply to all specifications, including, but not limited to, those prepared by architects, engineers, designers, and draftsmen for public contracts

Ready to Bid?

Where to start.....

- ▶ Procurement manual is your best friend!
- ▶ OPTFM Team is a phone call or email away!
- ▶ OPTFM Web-site
- ▶ CMPA/CPPO resources

Invitation for Bid Content

- ▶ Invitation for Bid Content **SHALL** include the following items:
 - (1) Instructions and information to bidders concerning the bid submission requirements, including the time and date set for receipt of bids, the address of the office to which bids are to be delivered, the maximum time for bid acceptance by the State, and any other special information.
 - (2) The purchase description, evaluation factors, delivery or performance schedule, and such inspection and acceptance requirements as are not included in the purchase description.
 - (3) The contract terms and conditions, including warranty and bonding or other security requirements, as applicable.
- ▶ The failure to include the items listed above will be cause for rejection

Public Notice and Opening

▶ Public Notice

- Public notice of Invitation for Bids when anticipated expenditure is more than \$50,000, shall be made in compliance with Section 31-7-13(c), Mississippi Code of 1972, Annotated.

▶ Bid Opening

- Bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the Invitation for Bids. The name of each bidder shall be recorded. The amount of each bid and such other relevant information as may be specified by regulation may be recorded; the record and each bid shall be open to public inspection as provided in Section 1.108, Public Access to Procurement Information.

Correction or Withdrawal

- ▶ Public Notice Correction or withdrawal of inadvertently erroneous bids before or after award, or cancellation of awards or contracts based on such bid mistakes shall be permitted in accordance with regulations
- ▶ After bid opening, no changes in bid prices or other provisions of bids prejudicial to the interest of the State or fair competition shall be permitted
- ▶ Except as provided by regulation, all decisions to permit the correction or withdrawal of bids, or to cancel awards or contracts based on bid mistakes shall be supported in writing

Bid Acceptance & Evaluation

- ▶ Bids shall be unconditionally accepted without alteration or correction, except as authorized by regulations
- ▶ Bids shall be evaluated based on the requirements set forth in the Invitation for Bids
- ▶ Those criteria that will affect the bid price and be considered in evaluation for award shall be objectively measurable
- ▶ The Invitation for Bids shall set forth the evaluation criteria to be used
- ▶ No criteria may be used in evaluation that are not set forth in the Invitation for Bids

How are Reverse Auctions Different?

- ▶ Generally speaking, the process is very similar
- ▶ Invitations for Bids contain mostly the same information, with the addition of details about how bidders will be selected to participate in the auction, the request for quotes, and other details about the auction
- ▶ OPTFM has all necessary information to conduct an auction on its website including a Bid Packet Template and a Timeline Example

FOR STATE AGENCIES

[MAGIC Bidders Reverse Auction Quick Reference Guide](#)

[OPTFM Reverse Auction Buyers' Reference Guide](#)

[How to Process a Reverse Auction From Start to Finish](#)

[Oversight Approval Request for Reverse Auction Exemption](#)

[Reverse Auction Exemption Form](#)

[Reverse Auction Timeline Example](#)

[Reverse Auction Vendor Overview](#)

[RFQF Buyer's Guide](#)

[RFQF Checklist](#)

[Bid Packet Template](#)

Responsive vs. Responsible

- ▶ Responsive Bidder – a person who has submitted a bid which conforms in all material respects to the Invitation for Bids
- ▶ Responsible Bidder or – a person who has the capability in all respects to perform fully the contract requirements and the integrity and reliability which will assure good faith performance

Award

- ▶ The contract shall be awarded with reasonable promptness by written notice to the lowest responsible bidder whose bid meets the requirements and criteria set forth in the Invitation for Bids

Request for Proposals

- ▶ Use when determined in writing that the use of competitive sealed bidding is either not practicable or not advantageous to the State, a contract may be entered into by competitive sealed proposals
- ▶ 1st Prior approval must be obtained from the PPRB
- ▶ Refer to Procurement Manual for specifics regarding advertising requirements, evaluation techniques, and award procedures.
- ▶ Many new requirements from HB 1109! (Sections 31-7-401 – 31-7-423 of the MS Code)

“Practicable” Distinguished from “Advantageous”

- ▶ The term “practicable” denotes what may be accomplished or put into practical application
- ▶ “Advantageous” denotes a judgmental assessment of what is in the State’s best interest
- ▶ Competitive sealed bidding may be practicable; that is, reasonably possible but not necessarily advantageous; that is, in the State’s best interest

General RFP Information

- ▶ Discussions may be conducted with responsible offerors who are reasonably susceptible of being selected for award
- ▶ Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals
- ▶ Award shall be made to the responsible offeror whose proposal is determined in writing to be the most advantageous to the State
- ▶ No other factors or criteria (other than those identified in the proposal) shall be used in the evaluation
- ▶ Public Records Act

Difference between IFB & RFP

Invitation for Bid (IFB)

- ▶ IFB may be used to procure high-cost items with easily definable characteristics
- ▶ IFB may be used when “what” and “how” is known
- ▶ Any state agency can issue an IFB
- ▶ Remember reverse auction is the primary method of receiving bids

Request for Proposals (RFP)

- ▶ RFP may be used when the award will be based on more than price alone
- ▶ RFP may be used when “what” is known but not “how” or “how” may vary from one vendor to another
- ▶ Only Certified Purchasing Offices can issue a RFP without prior approval from PPRB

Debriefings

- ▶ In accordance with Chapter 3, Section 3.107.18 of the Manual, the Agency Procurement Officer is authorized to provide debriefings that furnish the basis of the source selection decision and contract award. Debriefings may only be conducted when utilizing the competitive sealed proposal process as authorized in Chapter 3, Section 3.107.

Activity

- ▶ Break into groups to complete “Right item specification activity”



Review Questions

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